THE GOVERNORS' COUNCILS OF COLONIAL AMERICA, A STUDY OF PENNSYLVANIA AND VIRGINIA, 1660-1776

by

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The royal form of government for Virginia and the proprietary form of Pennsylvania are two of the representative types of government instituted by the British government to rule the American colonies. At the apex of each of these governmental forms sat a governors' council which had extensive legislative, judicial, and executive powers. Usually these councils in Virginia after 1710 and in Pennsylvania after 1701 consisted of twelve of the most prominent colonists. The impact of the council in each colony was determined not only by the formal constitutional functions of the council but also by the informal social, economic, and political connections of the members.

In this study, both types of conciliar activities have been discussed. In the legislative aspects of the government the Virginia Council maintained all of its legislative duties until 1776 including the right to initiate and to veto legislation. Despite conflicts which arose between the houses of the General Assembly, the councillors and the burgesses maintained friendships because the members of both were like-minded men. Pennsylvania is a different story. From 1683 to 1693, the Pennsylvania Council was supreme in the entire legislative function. By the Charter of 1701, the council lost all of its constitutional authority in legislative matters. By the councillors' pressure, however, the proprietors instructed the governors to accept the council's advice and consent before any legislation was passed, thus giving the Pennsylvania

councillors legislative authority.

In the executive aspects, both councils had rights to advise the governor on executive appointments. Further in the absence of the governor, the senior councillor assumed the presidency. Finally because of the numerous colonial offices which the councillors held, they controlled over half of the major offices in each colony, thus making them the bureaucrats of the colony.

The third function was judicial. In Virginia, the councillors automatically constituted the General Court which had extensive original and appellate jurisdiction. In Pennsylvania, some councillors were appointed members of the Supreme Court and the Court of Chancery. Thus councillors from both colonies held the most important judicial positions.

Through these constitutional positions, the councillors had influence in all aspects of the colonial governmental structure. Perhaps even more important were the informal connections of the councillors. With their family alliances, business associations, and social connections, the councillors had considerable social, political, and economic influence. Because of this complex pattern of relationships, the impact of the councillors either as a body or as individuals permeated the entire colonial governmental structure. There was no other group of comparable size in the American colonies which had so much influence.

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To

MY PARENTS

Whose help, stimulation, and support
saw me through my academic career.

PREFACE

Vestiges of the English colonial heritage are found all along the east coast of the United States. Physical remnants of this heritage are the houses and public buildings which indicate the aspirations and dreams of the men who settled the Atlantic Coast in the seventeenth and eighteenth centuries, thus creating outposts of the British Empire. Two regions of concentration of these monuments are in the areas around Philadelphia and in the Tidewater section of Virginia. There many public buildings and private homes show the wealth of the colonists. "Westover," "Berkeley," and the ruins of "Rosewell" in Virginia, and "Cliveden" in Pennsylvania reveal the visible prestige of these men to whom the large estates were an indication of their social and economic dominance in the colonial period.

Also the restored capital in Williamsburg and the reconstructed state house in Philadelphia show the setting in which colonial leadership advised the governor, debated over laws, and tried the malefactors of the period. On the second floor of each of these buildings are rooms which were designated as the council chamber. Within the confines of these rooms sat the men who lived in many of the great houses and from their vantage point advised in the government of the colonies of Pennsylvania and Virginia. At present, the council chamber at Williamsburg reflects the opulent

tastes of the councillors while the chamber in Philadelphia has yet to be redone because of the stirring events which transpired below in the assembly hall made it the more important one to be finished. Yet the events which happened in these two council chambers had a direct impact upon the development of the colonies and the eventual break with England.

In this study concerning the council and the councillors which was originally suggested by Dr. Edward P. Alexander of Colonial Williamsburg, to whom my first debt of gratitude is offered, an attempt has been made to dissect both the personal lives of the councillors who served in these two halls and the mechanism of government within which these men worked. In pursuit of the information relating to these councillors, research has been done in the various manuscript depositories of Virginia and Pennsylvania as well as in visiting many of the remaining effects of these men. To the staff of the Historical Society of Pennsylvania; to Mrs. Miriam Blimm and others at the National Independence Historical Park in Philadelphia; to the staff of the Virginia Historical Society; to Miss Elizabeth Ryall, Mr. Willie Ray, Mr. Edmund Berkeley, Jr., and Miss Anne Freudenberg of the Manuscript Division of Alderman Library; and to the manuscript staff of the Library of Congress, I am very grateful for their aid and assistance. Further, I would especially like to thank

Dr. Edward M. Riley, the director, and Dr, James Selby, and staff of the Research Department of Colonial Williamsburg not only for their aid and suggestions but also for a summer research grant which made possible much of the research for this project.

In the preparation and writing of this dissertation, I have had tremendous help from my fellow graduate students and professors at the University of Virginia. I have profited from ideas and criticisms offered to me by Messrs. James Scanlon, Robert Barrow, Robert Sutton, Carl Matthews, and Bruce Wheeler, and Miss Ellen Howell. In the final preparation of the dissertation in the summer of 1967, two more graduate students spent many long hours working with me. My roomate Mr. Richard Jenkins who took time from the good life at "Collina" to proofread, criticize, and type parts of the dissertation, I would like to thank. Finally, without the help of Miss Shannon Doyle, I would not have finished this summer. From typing to proofreading and checking sentence structure, she did much of the hard work on the preparation of this dissertation. To her, I owe my most appreciative thanks.

In the criticizing of the drafts of this dissertation, I am indebted to Mr. William Abbot of the University of Virginia, Mr. John Hemphill of Southwestern College in Memphis, Tennessee, and my advisor Mr. David Alan Williams

of the University of Virginia. Mr. Abbot was particularly helpful on Chapter Nine, parts of which were presented as a paper before the Pennsylvania Historical Association meeting last fall, as well as making helpful suggestions for how to continue my research project on the governors' councillors of Colonial America. Mr. Hemphill, my second reader, questioned many of my ideas and provided helpful criticism on style, content, and material. Finally and most importantly, Mr. Williams, who because of his considerable knowledge of the Colonial Virginia political situation offered many valuable insights into the topic. He also provided many constructive suggestions, criticisms, and stimulated me to look deeper than I had from the inception of this topic through a Colonial American History seminar in the spring of 1966 to the final completion of this dissertation. To each man, I am very grateful for their time, patience, and help.

Despite all of these helpful people, I take full responsibility for the remaining errors, obscure grammatical constructions, and intepretations. Since this study as it is presented in this dissertation is only a preliminary to a more complete research undertaking on the governors' councillors in Colonial America, much of the research in depth remains to be done.

INTRODUCTION

At the apex of the governmental structure in each of the English colonies in America, twelve prominent citizens sat as a council. Although the theory of government upon which these bodies rested was similar, the several councils differed in many respects. To this point in historical scholarship, the council has been studied only as an institution or as a group of men who thwarted the lower house because of its dependence on the royal authority or it has been almost completely ignored in order to focus attention on the lower house as the democratic force on the rise.[1] Percy S. Flippin and Philip A Bruce for Virginia, and William S. Shepherd for Pennsylvania have done institutional histories which devote some time to the council.[2] Yet the portrayal of the council and councillors is flat. Because of this lack the council will be studied in its local setting and the actions of the councillors as politicans in their colonies will be discussed.

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[1]Jack Greene, Quest for Power (Chapel Hill, 1963), 12, 440-1. For a demonstration of how an historian totally ignores the council, its influence and work, one should read Robert E. and E. Katherine Brown's Virginia 1705-1786, Democracy or Aristocracy (East Lansing, 1964), 215. Brown makes a point of British influence on the council citing Richard Henry Lee as his source. Brown minimizes the council in an attempt to emphasize the democracy of the lower house. It should be noted that this Lee for years wished to be a councillor.

[2]Percy S. Flippin, The Royal Government in Virginia, 1624-1775 (New York, 1919); William R. Shepherd, History of Proprietary Government in Pennsylvania (New York, 1896); Philip A. Bruce, Institutional History of Virginia (2 vols., New York, 1910).

From the very beginning of each colony, a group of men was appointed by the governing authority or elected to form a council which had advisory, executive, legislative, and judicial functions. The councils were charged early in the charters or royal instructions to advise the governors when they requested it and they were not to act without the councillors' approbation. They were also specifically given the right to originate, amend, and veto bills. Further, in the event that the governor was unable to perform his tasks, the senior member was to assume the presidency. Finally by charter or by custom, members of the council formed the superior court.[3]

To study more closely the workings of the colonial council, two have been selected: Pennsylvania, the only proprietary colony throughout the eighteenth century, and Virginia, the eldest of the royal colonies. There are, of course, some inherent problems in this comparison because Pennsylvania was heavily merchant-urban oriented, and Virginia was weighted just as heavily to the planter-rural viewpoint. Despite some initial contrasts, similarities between the two colonies appear under close scrutiny and the study of these councils leads to some insights into the upper stratum of the colonial government

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[3]Leonard Labaree, Royal Instructions to British Colonial Governors, 1670-1776 (2 vols., New York, 1935), I, 74, 77-9, 82-4. Minutes of the Provincial Council of Pennsylvania (10 vols., Philadelphia, 1852-5), I, 29-55. (Cited hereafter as MPC)

structure.

Most councillors who served on these two councils have sunk into oblivion. Published biographies of the 300 councillors who served on the two councils from 1660-1776 are few in number. Frederick Tolles, James Logan and the Culture of Provincial America; Hubertius Cummings, Richard Peters; Roy N. Lokken, David Lloyd; Burton Konkle, Andrew Hamilton and Benjamin Chew; and Louis Morton, Robert Carter of Nomini Hall are the best. Unpublished dissertations and theses have also been done on James Logan, Edmund Berkeley, Robert "King" Carter, and several others. Articles of significance on the councillors in their political capacity are almost non-existent except for general discussions of a council in a particular crisis. One outstanding exception to this rule is Kenneth L. Carroll's "William Southeby, Early Quaker Anti-Slavery Writer," PMHB (89). Other than these sources, there are thirty-six sketches in the Dictionary of American Biography and in Who Was Who.[4]

In most instances the identity and significance of the men who sat on these two councils has since been lost in the pages of history; as a consequence they are often unknown or

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[4]Frederick Tolles, James Logan and the Culture of Provincial America (Boston, 1957); Hubertius Cummings, Richard Peters (Philadelphia, 1944); Roy N. Lokken, David Lloyd (Seattle, 1959); Burton A. Konkle, Benjamin Chew (Philadelphia, 1932); Konkle, The Life of Andrew Hamilton (Philadelphia, 1941); Louis Morton, Robert Carter of Nomini Hall (Princeton, 1941); Dictionary of American Biography. Edited by Allen Johnson and Dumas Malone (20 vols., New York, 1928-36); Who Was Who in America. Historical Volume, 1607-1896 (Chicago, 1963).

confused with different individuals. For instance in Theodore Thayer's Rise of Democracy in Pennsylvania, 1740-1776, no mention is made of the council. Or in another instance such as in G.B. Warden's "The Proprietary Group in Pennsylvania, 1754-1769, W.&M. (3), XXI (1964), men have been misidentified as councillors.[5] Yet in their day, the councillors were often the most prominent men of their colonies. Thomas Lloyd was the patriarch of Pennsylvania politics during the first decades of its existence and Benjamin Chew was the "prime minister" of Pennsylvania in the 1760's and 1770's.[6]

The post of councillor was important and the royal instructions stated that he had to be a man "of good life and well affected to our government and of good estates and abilities nor necessitious persons or much in debt." Governor Alexander Spotswood said in writing to the Lords of Trade to explain his appointment of Cole Digges to the council that he, "lives very convenient to the Seat of Government, of ample Fortune,

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[5]Theodore Thayer, Rise of Democracy in Pennsylvania, 1740-1776 (Harrisburg, 1953). For errors in identification see G.B. Warden, "The Proprietary Group in Pennsylvania, 1754-1769," W&M (3), XXI, 373, 376. The author listed both Edward Shippen of Lancaster and Dr. Thomas Graeme as councillors in the late 1750's. The first never served and the second had resigned twenty-five years before.

[6]Konkle, Benjamin Chew, 2. "Fragment of A Journal Kept By Samuel Foulks of Bucks County," edited by Howard M. Jenkins, PMHB, V, 73. Tolles, Meeting House and Counting House (Chapel Hill, 1948), 120-1.

Good parts, and of a fair Character, and whose Father was also one of that Board."[7] Even more important was the prestige these men felt as councillors.

Despite these sentiments and admonitions, the meetings of the councils were times of conviviality as well as of serious deliberations.[8] The councillors worked hard and played hard. Often the councillors, particularly in Virginia, had to come from some distance for meetings. Once they had arrived at the meeting place, whether Jamestown, Williamsburg, Newcastle, or Philadelphia, the councillors spent long hours in session, in meetings with the assemblymen, or in private discussions persuading a burgess or governor to accept their view. Not only did they serve these long hours at the capital, but they were appointed as ambassadors to the Indians, as messengers to neighboring governors, as agents to the Crown, as commissioners to settle boundary disputes, and as military officers.

For men who were active in business and farming the financial remuneration of the councillors' salary was not the key to why men wished to become members or why others used every available means to be appointed. Nor did just sitting on the

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[7]Spotswood to My Lords, Sept. 27, 1718 in The Official Letters of Alexander Spotswood. Edited by R.A. Brock in Collection of Virginia Historical Society (2 vols., Richmond, 1885), II, 304. (Cited hereafter as Letters of Spotswood). For further qualifications of a councillor see Labaree, Royal Instructions to British Colonial Governors, I, 55-6.

[8]August 25, 1684, MPC, I, 116.

council for the social aspects of membership serve as balm for a limited salary. Not only was the council the center of the entangled cousinhood of relatives, but it was also the center of the entangled relationship of offices.[9] Family place, pride, connections, and sinecures were all aspects of this combine in both colonies. The situation in Virginia was far more mature, but the intra-relationships in the Pennsylvania Council developed rapidly. In Virginia, half of the council seats were in the same family for at least three generations, and in Pennsylvania, several of the seats were held by members of a particular family for about half of the colonial period. As a result of family possession of one seat and the accumulation of offices, the council was a focal point of the colonial political machinery. From this position, the councillors used their powers at every level of the social and political strata of the colony.

Because of this complex pattern of relationships, the council which in some instances had little visible power had much indirect influence through informal relations. Though supposedly restricted to only certain executive, legislative, and judicial functions, the impact of the councillors either as a body or as individuals permeated the entire colonial

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[9]Bernard Bailyn, "Politics and Social Structure in Virginia" in James M. Smith (ed.), Seventeenth Century America (Chapel Hill, 1959), 111.

governmental structure. At almost all times, they were involved in a power struggle with either the governor or the assembly, or both. Never subservient to nor dominant over the governor or assembly, the council was able to exert its power by breaking a governor or influencing an assembly on occasion.

Many times this power was sub rosa. Some authors have suggested that particularly the Pennsylvania Council lost most of its power after 1701.[10] This is a surface view based on an interpretation of the charter of 1701 which is not totally correct. Further, the Virginia Council maintained its influence by informal connections as well as its constitutional power throughout most of the colonial period. Because of the various forms of power and influence which the councillors had, they were in conflict periodically with either the governor or the lower house. The councillors were in a unique position, holding their office by English commission and serving the people of the colonies. Despite the conflicts which arose and their unique position in the governmental structure, the colonial councillors, when the time came, proved their ability to rule when the governor was out of the colony.

To better understand the function of the council and the impact of the councillors in the colonies, we shall discuss

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[10] Charles P. Keith, Chronicles of Pennsylvania (2 vols., Philadelphia, 1912), I, 404-5.

first the councils in the two colonies, then dissect the council into its human elements to indicate their informal connections which were so important to colonial politics, and concluded with a discussion of the effect of the American Revolution on both the members and the institution of each colony. As will be seen, the councillors in both colonies were thoroughly representative of the governing classes and in their role, they interpreted the English philosophy of government to their fellow colonists and by doing so they touched off the process by which power later passed to the lower house. These men were able to hold power because after the members of the lower house left for home, the councillors continued to operate the machinery by which the colonial government functioned. Though the members of the lower house may have practiced representative government, it was the councillors who ran the colony for the greater part of the year through their accumulation of offices. From this study of the councils, we should gain a better understanding of the group of men who comprised the apex of the colonial governmental structure and gain some insight into the true nature of the political functioning of provincial government.

ABBREVIATIONS USED IN THE FOOTNOTES

Alderman -- Manuscript Collections of the University of Virginia.

CSP -- Calendar of State Papers.

CW -- Colonial Williamsburg Research Collections.

CJCV -- Executive Minutes of the Council of Colonial Virginia, 1680-1776. Edited by H. R. McIlwaine, William L. Hall, and Benjamin J. Hillman. 6 vols., Richmond, 1925-1966.

JHB -- Journals of the House of Burgesses, 1619-1776. Edited by J. P. Kennedy and H. R. McIlwaine. 13 vols., Richmond, 1905-1915.

LC -- Library of Congress.

LJCV -- Legislative Journals of the Council of Colonial Virginia, 1680-1776. Edited by H. R. McIlwaine. 3 vols., Richmond, 1918-1919.

MCCV -- Minutes of the Council and General Court of Virginia. Edited by H. R. McIlwaine, Richmond, 1924.

MPC -- Minutes of the Provincial Council of Pennsylvania. 10 vols., Harrisonburg, 1852.

PA -- Pennsylvania Archives. Numbers in parentheses indicate the various series.

HSP -- The Historical Society of Pennsylvania.

PMHB -- Pennsylvania Magazine of History and Biography.

VCRM -- Virginia Colonial Records Microfilm Project.

VHS -- Virginia Historical Society.

VMHB -- Virginia Magazine of History and Biography.

W&M -- William and Mary Quarterly. Number in parentheses indicates the series.

CHAPTER I

THE COUNCIL IN VIRGINIA

A Century of Changing Power

1660-1765

The Virginia governor's councillors comprised the most influential group of men in that colony. From the initial settlement at Jamestown in 1607, a body of men had been selected to advise the governor and on the occasion of the absence of the governor, to assume the administration of the colony. In addition to this advisory-executive function, the council was also the upper house of the Grand Assembly of Virginia. All legislation was passed in the name of the Council, the House of Burgesses, and the Governor. Further the members of the council had the right to initiate legislation, to meet with the burgesses in consultation concerning legislation, and to veto any bills which the councillors felt to be unsatisfactory. Finally the members of the council also sat as a General Court. This court had both original and appellate jurisdiction. In addition to these three constitutional functions, the council was the center of the governmental machinery of the entire colony because of the additional offices which the councillors held. These basic functions continued to the American Revolution. What changes occurred did so because of the interplay between the

royal authority, the governor, and councillors, and the burgesses. The story of the period from 1660 to 1765 is the history of the changing position of the council in Virginia. In order to see the changes more clearly, the first part of this discussion will be devoted to the council from 1660 until 1698 when an attempt was made to change some of the aspects of the council. The second section will consider the three main functions of the council in the eighteenth century.

A. THE COUNCIL, 1660 - 1698

In March, 1660, the council called Sir William Berkeley, the last royal governor, back to office and acknowledged him to be in control.[1] For the previous ten years under the Cromwellian Commonwealth, the lower house had elected both the council and the governor. Now the council was reasserting itself.

Shortly after Berkeley assumed office, the Stuarts were restored in England and Charles II appointed Berkeley as the new royal governor. The changes made in the council membership were remarkably few. In Charles II's instructions to the councillors in 1660, he named eight men to administer the oath to Berkeley. Of the eight men named, only one, Thomas Ludwell

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[1] Richard Morton, Colonial Virginia (2 vols., Chapel Hill, 1960) I, 184-5, 188. Flippin, The Royal Government in Virginia, 106. Bruce, Institutional History of Virginia, II, 371. "Arrest of Col. John Carter, the Cavalier," W.&M. (1), VII, 33.

(1660-79), was new.[2]

Notwithstanding this lack of turnover, a new council emerged under the Stuart Restoration. On this new council sat a Lee, a Digges, two Carters, and a Ludwell. Shortly thereafter the Corbin family was also represented. The council which gathered around Berkeley consisted of representatives of families who remained prominent until the American Revolution. Of the five families mentioned, three were represented at the last meeting in 1775. Further, after more than a century of intermarriage, almost all were related to several of the councillor families of 1660. This continuing relationship is a major key to understanding the impact of the council in Virginia.

The actual workings of the council to 1680 are uncertain because complete minutes are not extant for the meetings. Even without the written record, a number of trends are apparent. First, the decade starting in 1660 was a period of ascendancy for the governor and of conflict with the lower house. The council was caught between an aging man and a lower house which had known the taste of power.[3] Second, the council was involved in fighting the large Virginia land grants which Charles II made

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[2]"Warrent to the Virginia Council to Administer the Oath to Sir William Berkeley, 1660," VMHB, XIV, 264-5. Bruce, Institutional History of Virginia II, 370. When a councillor is mentioned for the first time in the text, his period of service is given in parentheses.

[3]Flippin, The Royal Government in Virginia, 152. Morton, Colonial Virginia, I, 219.

to his courtiers. Because of this conflict, councillors traveled to London to lobby against these grants.[4] Third, tensions over prerogatives, privileges, and constitutional functions were developed that were never fully eradicated. Fourth, the informal connections which were to control much of Virginia colonial politics were formed. The Berkeley-Ludwell, Green Springs faction was indicative of the type of councillor factions which would arise from time to time to be an influencing factor in colonial politics.[5] Finally, the interest of the councillors in obtaining land and in land speculation was demonstrated by the number of land grants and the conflicts which arose over men obtaining large tracts of land.[6]

Many of the tensions, frustrations, and fears which developed in the political system of Virginia after 1660, reached a culmination in 1676 with Bacon's Rebellion over the dispute concerning Indian problems. The upheaval caused by this outbreak had considerable effect upon the councillors. With the first signs of unrest, Berkeley realized that his

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[4]Morton, Colonial Virginia, I, 222. Sister Joan de Lourdes Leonard, "Operation Checkmate: the Birth and Death of a Virginia Blueprint for Progress, 1660-1676," W.&M. (3), XXIV, 67-80.

[5]Bailyn, "Politics and Social Structure in Virginia," in Smith (ed.), Seventeenth-Century America, 100. Leonard, "Operation Checkmate . . . ." W&M (3), XXIV, 50.

[6]Bailyn, "Politics and Social Structure in Virginia," in Smith (ed.), Seventeenth-Century America, 95. For a list of large land holders and complaints of Edward Randolph against the councillors, see W. Stitt Robinson, Jr., Mother Earth-Land Grants in Virginia, 1607-1699 (Williamsburg, 1957), 46-7, 59.

council had decayed in the years immediately prior to 1676. His council of nineteen nominal members had declined to four active members, a quorum was only three.[7]

In the next few months, the lack of competent and active councillors hurt Berkeley severely. During the uprising, some of the active councillors suffered considerable damage to their property inflicted by the followers of Nathaniel Bacon.[8]

Yet there were also councillors and future councillors who supported Bacon. Thomas Swan (1659-78) apparently rallied troops for Bacon, and Ballard took the oath to support him. Future councillors such as Charles Scarborough (1696-1702), John Lightfoot (1697-1706), and William Byrd I (1684-1704) had some contact with Bacon. In years to come, having supported the younger Bacon did not prevent a man from being appointed to the council.[9]

Almost as soon as the rebellion had died out, a new council was constituted. In the royal commission to Berkeley prepared in November, 1676, eleven councillors including five

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[7]William Berkeley to Mr. [Thomas] Ludwell, April 1, 1676, in VMHB, XX, 248.

[8]Bailyn, "Politics and Social Structure," in Smith (ed.), Seventeenth-Century America, 105. Wilcomb Washburn, The Governor and the Rebel, (Chapel Hill,1958), 51, 70, 85. Morton, Colonial Virginia, I, 248.

[9]"Colonel Swann in Bacon's Rebellion," in W.&M. (1), XI. 80-1. "Note," in VMHB, IV, 317. March 3, 1676-7, Minutes of the Council and General Court of Colonial Virginia. Edited by H.R. McIlwaine, (Richmond, 1924), 456. (Cited hereafter MCCV).

new men were named. Additionally, Berkeley on his own named three men who had supported him during the uprising. Thus the council of fourteen men contained six men who had been members a year before, five who held new royal commissions, and three who were Berkeley's supporters.

The commissioners who investigated the uprising, prepared a list of councillors holding official commissions that numbered twenty.[10] Of this group, Robert Beverley (1676-8), Edward Hill II (1676-9, 1691-1700), and James Bray (1670-9) were removed because they belonged to the Green Springs faction led by Philip Ludwell I and Lady Berkeley, and Ballard because he had supported Bacon.[11] Shortly thereafter Philip Ludwell, who married Berkeley's widow, was removed for slandering Colonel Jeffreys. The Green Springs faction returned to power after the death of Jeffreys and the appointment of Thomas, Lord Culpeper as governor. Culpeper, a relative of Lady Berkeley, reinstated Ludwell at the other councillors' request, permitted Ballard to be sworn as speaker of the lower house, and allowed Beverley to become clerk of the burgesses.[12]

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[10]"Commission to Governor Berkeley and Council, Nov. 6, 1676," in VMHB, XVII, 349-50. Jan. 11, 1676/7, MCCV, 454. "Persons Who Suffered by Bacon's Rebellion, The Commissioners' Report," VMHB, V, 66. Morton, Colonial Virginia, I, 278. "Council in 1677 from a list prepared by Sir John Berry and Colonel Francis Moryson," in VMHB, XXIII, 30-1.

[11]"Minutes of a Committee of Trade and Plantation, December 6, 1677," in VMHB, XXIII, 29.

[12]William Sherwood to Sec. Sir Joseph Williamson, Aug. 8, 1678 in VMHB, XXIV, 77. Morton, Colonial Virginia, I, 292.

During the governorship of Lord Culpeper and his successor, Lord Howard of Effingham, the council was a handmaiden of royal authority. Since the governors were primarily interested in controlling the assembly, they in effect strengthened the council. Of course, the governors had certain privileges by which they could control the council. Included in their instructions, the governor had the power to appoint or dismiss a councillor. Further the governor controlled the enforcement of the Acts of Trade and the right to grant land. In this fashion, according to Stephen Webb, the governor had some control over the economic success or failure of the councillor's life.[13] Because of this, the councillors usually supported the governor.

With the arrival of Lord Howard of Effingham in February, 1684, further conflicts arose between the governor and council on one side, and the burgesses on the other. Among his first actions, Effingham announced that henceforth no appeals could be made from the General Court to the General Assembly. This in effect strengthened the control of the council on the "administration of justice." As a result of this

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[13]"The Site of Old James Towne," VMHB, XII, 44. Lord Culpeper to Lord Dartmouth, March 18, 1682/3 in ibid., XX, 82. "Instructions to Governor Lord Culpeper and His Answers in Virginia in 1683," edited by W.N. Sainsbury, ibid., XXIX, 52-5. Stephen S. Webb, "Officers and Governors--The Role of the British Army in Imperial Politics and the Administration of the American Colonies, 1689-1722" (Unpublished Ph.D. dissertation, Wisconsin, 1965), 163. (Cited hereafter as Webb, "Officers and Governors.")

change as well as Effingham's statement to the burgesses that they could not request government records or aid in the revision of the colonial laws, the burgesses with the support of Philip Ludwell petitioned the King for redress of their grievances concerning these matters.[14] Effingham then suspended Ludwell for the second time because he had espoused the cause of the burgesses.[15]

For the remaining two years of Effingham's administration, the council continued to support the governor. Because of this support, the council in effect had its powers broadened and was beginning to assert itself as the most powerful political body in the colony. Effingham left Virginia in early 1689 before the news of the Glorious Revolution had arrived. Upon receipt of the news, there was tumult in the land before Nathaniel Bacon, senior, the president of the council proclaimed the accession of William and Mary in late April, 1689.[16] Nicholas Spencer (1671-89), the Secretary was able to report that the unrest had been quieted "by the vigilance, care, and prudence of some of the council."[17]

With the arrival of Lieutenant-governor Francis

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[14]Morton, Colonial Virginia, I, 311-324.

[15]For a full explanation of the Ludwell case, see Effingham to My Lords, May 23, 1689 in PRO CO 5/1305 #11, VCRM. Instructions to Governor Lord Howard of Effingham, Feb. 27, 1688, in VMHB, XIX, 338.

[16]Morton, Colonial Virginia, I, 332-3.

[17]Spencer to My Lords, April 29, 1689, PRO CO 5/1305 #9, VCRM.

Nicholson, politics became fairly quiet. Nicholson, an energetic church man and former soldier, found an able lieutenant in the Reverend James Blair (1694-5, 1696-7, 1701-43), the newly arrived commissary and protege of Henry Compton, the Bishop of London. The lieutenant-governor worked hard with Blair to establish the College of William and Mary, chartered in 1693. In 1692 Nicholson was superseded by his old superior and nemesis, Sir Edmund Andros, who was appointed governor-in-chief. Even after Nicholson had gone to Maryland as acting governor, he and Andros, sitting together in college meetings and hating each other, disrupted Virginia politics. Nicholson formed a college party among the burgesses and a few councillors to oppose Andros. Despite Nicholson and Blair working together, Andros functioned effectively. In continuing the efforts of his precedessors, Andros had the support of the council as had Culpeper and Effingham.[18] By the time of Andros' arrival, the council was composed of a majority of American-born men as it would be from this time forth to the American Revolution. Nevertheless the councillors supported Andros because of his influence over them and because they were assuming power themselves. From this time until the mid-1720's, the council was the dominant political group in Virginia. The councillors were men devoted to the protections

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[18]Morton, Colonial Virginia, I, 336, 342. Webb, "Officers and Governors," 171, 173, 179, 205, 208, 211.

of prerogatives, in particular their own, and to the expansion of their financial base which could usually only be done with the support of the governor.[19]

The period of Andros' administration was a time of unrest in the council and rapid turnover. Because he had the power, the governor suspended several councillors, beginning with Blair because of his opposition to the governor. In commenting on the council's support of Andros, Blair charged that "the Council being only the instrument of his Arbitrary power shares in the odium."[20] For expressing this and other sentiments, the commissary found himself displaced.

Because of the difficulties which were being aired in England about the political situation in Virginia, the Board of Trade and other English officials held a number of meetings and conducted investigations to determine how to change the constitutional structure of the Virginia government. The major difficulties centered around the control of the governor over the councillors, plural office holding by the councillors, the acquisition of land by the councillors, and the councillor's exemption from the processes of civil law. For over three years from the time of Edward Randolph's initial report of 1696 through the Lambeth Palace meeting to the new instructions issued to Francis Nicholson in 1699, solutions were prepared for these

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[19]Webb, "Officers and Governors," 161, 167, 169, 211.

[20]Ibid., 211.

difficulties.[21]

Nicholson returned to the government of Virginia in 1698 after Andros had been removed. The new instructions contained several directives which changed the working relationship between the governor and the council. With pressure for reforms from Blair and from the Board of Trade acting under the advice of Locke, who wished to establish the supremacy of the Whig ideals in the colonies, attempts were made to separate the councillors' financial interests from the power of the governor to make land grants and official appointments. To achieve this end, the organization of the council was changed in the instructions.[22]

First, to protect the councillors, the Board of Trade instructed the governor not to suspend a councillor unless he had submitted his reasons to the Board and secured its approval. This was to protect future councillors from being suspended like Ludwell and Blair. In fact never again was a councillor in the prime of life removed and only on a few occasions did a governor initiate correspondence for an approval of suspension.[23]

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[21]Wright, "William Byrd's Defense. . . ." W&M (3), II, 52-61. Morton, Colonial Virginia, I, 349. Webb, "Officers and Governors," 226. Patricia H. Menk, "The Origins and Growth of Party Politics in Virginia, 1660-1775" (Unpub. Ph.D., dissertation, Virginia, 1945), 139-40. Michael G. Kammen, "Virginia at the Close of the Seventeenth Century," VMHB, LXXIV, 142-68.

[22]Kammen, "Virginia at the Close of the Seventeenth Century," VMHB, LXXIV, 147-8.

[23]Labaree, Royal Instructions to British Colonial Governors, I, 60.

Despite the intentions of these instructions to protect the councillors, the other new measures indirectly aided the governor in controlling the connections which the councillors had formed between themselves as a result of the multiplicity of positions they held. As Benjamin Harrison had indicated after he had released a ship fraudulently, the councillors were able to commit shady transactions because of their informal alliances by which they protected themselves. In an attempt to limit such connections and the governor's influence derived from permitting such combinations to exist, the holding of several offices of conflicting jurisdiction was abolished. A councillor could no longer be a naval officer and collector of a district as well as being the receiver and/or auditor-general of accounts. In effect, this meant that a councillor was no longer either a naval officer or collector. This did not stop the abuse of conciliar influence which had resulted from pluralism, because offices of which the councillors were divested were simply spread among sons and other relatives.

Because the compounding of these offices had resulted in collectors selling the tobacco collected as quitrents to councillors who in turn sold it for a profit, the new instructions stated that the quitrents had to be sold at public auction. Further to implement these directives, Nicholson moved to enforce quitrent collections. In the past, this collection had not been carried out with much vigor. Now

Nicholson moved energetically to enforce the laws and to change the officers in charge of collection. As a result of these maneuvers, Nicholson lost the support of many councillors because he paid too little attention to their interests.[24]

Finally to control the size of land grants which according to Edward Randolph had been the cause of stifling emigration to Virginia, Nicholson was instructed to curtail the number of grants made, to reduce the size of the tracts given, and to reclaim grants which had not been used. Although he talked about enforcing the new land decrees, he still bound the councillors to him by continuing large grants of land.[25]

This was the last official attempt by English governmental authorities to revamp the council of Virginia. In these instructions an attempt was made to separate the councillors from their dependence on the governor and thus to make them supreme in the legislative functions of government. The instructions were designed to reinforce the council not to aid the lower house or the governor.

From the beginning of Nicholson's second administration, to the end of the colonial period, the council was not changed by royal decree but by its interplay with the other elements

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[24]Webb, "Officers and Governors," 239-43. In the appointment of new naval officers and collectors in 1699. Philip Lightfoot. Nathaniel Harrison, Nicholas Spencer, junior, Hancock Lee, Isaac Allerton (ex-councillor), Henry Scarborough, and John Custis II, all of whom were related to councillors were commissioned. June 8, 1699, EJCV, I, 449-50.

[25]Ibid., 249. August 9, 1699, EJCV, II, 8. Robinson, Mother Earth, 63-5.

of the colonial government in Virginia which were the executive and the legislative authority.

B. THE COUNCIL IN EIGHTEENTH CENTURY VIRGINIA

During the eighteenth century, the Virginia Council experienced a number of subtle changes in its executive, legislative, and judicial functions. In 1698, the Board of Trade attempted to sever the close relationship between the council and the governor, thus making the council a check on the activities of the royal executive. These instructions in theory attempted to strengthen the council in political terms, but at the same time tried to tie it more closely to England by eliminating some of the pluralism which had made the councillors' interests outweigh their loyalty to the royal prerogatives. Further, the Board had tried to make the council supreme in the legislative function over the House of Burgesses. Finally, since the 1680's, the council had been the last court of appeals, thus in effect making it supreme in the judicial function too.

The history of the Virginia Council in the eighteenth century is the story of how the time-consuming routine of business of the councillors, particularly in the executive and judicial aspects of their duties so completely absorbed their available time that the council willingly relinquished most legislative functions except for a perfunctory review of the actions of the lower house. At the same time, the

council in many instances worked closely with the lower house because both houses were composed of like-minded men from the same social and economic station. To see why the policies of the Board of Trade never worked, each of the constitutional functions of the council will be reviewed with some attention paid to conflicts which arose at specific times to alter the influence of that body.

The council of Virginia maintained a number of executive functions through the eighteenth century. The five volumes of minutes for executive meetings reveal the type of problems that were discussed. An executive session of the council differed from a legislative meeting. When the council was performing its executive duties, the governor usually presided at the meetings in order to obtain the consensus of the councillors present. The executive prerogatives were the most important segment of the tripartite powers of the council during this period.

The executive function of the council can be divided into three sections: advising and approving of the actions of the governor, performance of definite executive duties, and the obligation to assume the government of the colony in the absence of the governor. At times during the eighteenth century, the council's obligations under the first two categories led to conflicts with the governor.

The Board of Trade had hoped that by removing a number of the checks which the governors of the 1680's and 1690's had assumed over the council, that the council would become an

independent body in the government thereby having the right to control the governor when necessary. The governor had been instructed not to act without the express advice and consent of the council.[26] In this way, the council had the right of discussion over all measures taken by the governor. This power extended to the approval of the county officials, militia officers, vestries, locations of courthouses, parish affairs, land grants, and preparations for the defense of the colony. Further the governor had to receive the support of the council for the calling or proroguing of the assembly. Since haughty and proud royal governors found these requirements too restrictive, they attempted to bypass the council on occasion. On the other hand, because the council assumed that it was their inalienable right to check the governor, members of the council fought any suspected usurpation of their rights by the governor.

Nothing shows the difference between the governor's concept of the functions of the council and the council's idea of its right to preserve its independence from the governor better than the second administration of Governor Nicholson. Most of the councillors and in particular Commissary Blair originally had high hopes for the new governor. The commissary believed that since he had backed Nicholson for office he was to be "Prime Minister." Nicholson, however, made his true position evident by campaigning actively against the sons of

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[26] EJCV, II-VI. Labaree, Royal Instructions to British Colonial Governors, I, 82-3. Greene, Quest for Power, 29-30.

councillors who were running for the House of Burgesses and by appointing justices of the peace without consulting the councillors.[27]

The actual break came after Blair, in preaching a memorial funeral sermon on the death of King William, spoke against arbitrary rule and strongly implied that he was speaking to the governor. With this statement, Blair moved into the Ludwell-Harrison clique. The remaining years of Nicholson's administration was a time of open warfare between the governor and a majority of the council.[28]

By 1703 Blair was sure enough of his position to sail for England with a petition demanding the recall of Nicholson. This petition was prepared by six councillors; John Lightfoot, Benjamin Harrison, James Blair, Matthew Page (1698-1703), Robert "King" Carter (1699-1732), and Philip Ludwell II (1702-27). The petition had the tacit support of William Byrd I. It was opposed by John Custis II (1699-1713), John Smith (1703-20), Henry Duke (1702-13), and John Lewis I (1704-25), who had been appointed by Nicholson to strengthen his position in the

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[27]Webb, "Officers and Governors," 249-55. Menk, "The Origin and Growth of Party Politics in Virginia, 1660-1705," 140-50. Flippin, Royal Government in Virginia, 113-4. D. Alan Williams, "Political Alignments in Colonial Virginia, 1698-1750" (Unpub. Ph.D., Dissertation, Northwestern, 1959), 34. Morton, Colonial Virginia, I, 361-72. Green, Quest for Power, 26.

[28]Webb, "Officers and Governors," 268, 353.

council.[29]

In the list of charges against Nicholson, the six councillors complained that the lieutenant-governor "has altered this good and wholesome method [of the council advising and consenting to actions of the governor] by engrossing all power to himself and by acting alone in most of the chief affairs of government." Further, without consulting the council, he has called the assembly to meet in "unseasonable times of the year," he has signed many documents without the advice of the council, has been

> impatient of all just freedom of dispute or debate in Council . . . . [and he did] upon all occasions debase and vilify the Council before the people, by giving them gross and abusive language (such as Rogues, Villains, Raskalls, Cowards, Doges & c) . . . [and] that he valued the Council no more than the dirt under his feet . . . .[30]

The six councillors demonstrated their point that they had the right to object, to oppose, and to ask for the recall of the governor. Thus the council accepted and protected in this instance the right to check the governor. The councillors wanted local control and they worked to have it. Nicholson was recalled in 1705 because he had lost favor at home and because Blair had used his English influence to remove the governor.[31]

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[29]"Charges against Governor Nicholson," in VMHB, III, 382. May 12, 1705, Statement by Certain Councillors, in ibid., VIII, 142-3. Jenings to Nicholson, April 1, 1704, in ibid, VIII, 126.

[30]Charges against Governor Nicholson, ibid., III, 374-7.

[31]Ibid., 377-87. Webb, "Officers and Governors," 290, 295. Williams, "Political Alignments in Colonial Virginia," 75-6.

Nicholson had been given an impossible task by the Board of Trade. He was to accept the supremacy of the council in legislative matters but he was to control the members' acquisitive spirits. Further, he was expected to cut the councillors off their dependence on the governor and yet to accept their independent judgements concerning the government of the colony. Although willing to accept their executive responsibilities, the councillors reacted violently not only to the loss of their former prerequisites but also to the threats to their influence over land policy.

Indeed the segment of the advisory function of the council which created the most lasting problems between the governor and the council was the disposition of land. As was seen, one reason for the Board of Trade issuing new instructions to the governor in 1698 concerning the council was to alleviate part of the problems over land dispersal. Since the governor in council disposed of land, the councillors had access to large land grants. Between 1700 and 1720, Governors Nicholson and Alexander Spotswood had many executive difficulties with the council over the dispersion of land. Both were instructed to curtail large grants and not to permit speculators to absorb all of the land. Because both of these men to a greater or lesser degree attempted to comply with their instructions in this particular, the councillors opposed them. When Nicholson tried to limit land grants in furtherance

of his 1699 reforms after 1702, he met opposition from his council; and when Spotswood tried to initiate new methods of distributing land after 1712, he too was opposed. Finally in 1720, Spotswood not only capitalized and supported the enactment of liberal land laws, but thereafter the governor worked hand in hand with the council to make large grants of land to insiders.

During the period from 1722 to 1754, the councillors enlarged their land holdings and established large land companies. With the liberalization of the land policy and the realization after 1740 that new tracts of land would soon be opened beyond the mountains in the Ohio Valley, councillors, burgesses, and even London merchants banded together to form a series of land companies.

Since land was a key to prestige in eighteenth century Virginia, the formation of these large land companies is a very clear example of how the executive functions of the council were used to advance the interest of the members. These men hoped for considerable profit from the land grants. Factions were formed and both the council and the lower house were split into contending factions. One group, formed around the Robinson-Randolph combine, founded the Loyal Land Company and the Greenbriar Company, while another faction, headed by Thomas Lee (1733-50), created the Ohio Company. The former group received more than 1.3 million acres, while the latter

received one half million acres. Competition was so keen that at least two councillors, William (1745-72) and Secretary Thomas (1744-76) Nelson, changed from the Ohio Company to the Loyal Company in an effort to enhance their position. The informal business connections created by these companies had a great deal of influence upon the political structure of Virginia because each faction struggled for power and the stability of its position.[32] Despite the formation of two groups, each was actually dependent upon the other for its grant. Since land grants could only be made with the concurrence of the council, both factions, though rivals, depended upon members of the other group to approve their grant. In this way, the councillors using their executive function of approving land grants, worked towards their mutual advantage and paradoxically cemented the council together even though the quest for land had divided it into two factions. Thus the ramifications of the power of approval had an interesting impact on the council.

Besides the executive function of approval, the council also had a number of intermittent executive duties which the members had to perform. From time to time, commissions

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[32]Emory Evans, "The Nelsons; a Biographical study of a Virginia Family in the Eighteenth Century," (Unpub. Ph.D., dissertation, Virginia, 1957), 55-6. Williams, "Political Alignments in Colonial Virginia," 4-12, 328-35, 357. See also Chapter VIII. Manning Voorhis, "Crown Versus Council in the Virginia Land Policy," W&M (3) III, 499-514. Voorhis, "Virginia Land Grants," (Unpub. Ph.D., dissertation, Virginia, 1941).

were given to the councillors to perform special tasks. These included commissions to travel as envoys to Indian Treaty meetings and to render special services such as serving on boundary commissions. Particularly during Gooch's administration, the councillors were used on several important occasions in inter-colonial service. In 1727 a boundary commission, of which William Byrd, Richard Fitzwilliams, and "King" Carter were members, established the boundary between North Carolina and Virginia. Also Councillor Thomas Lee and future Councillor William Beverley served on the Virginia delegation to Lancaster, Pennsylvania in 1744 at which meeting a famous Indian treaty was prepared. The experience gained in these delegations added immeasurably to the understanding of practical politics and of inter-colonial affairs.[33]

The final executive function was the assumption of the role of governor by the senior councillor in the absence of the royal appointee. This function is one of the best examples of the changing character of the council through the eighteenth century. Between 1700 and 1770, the senior member of the council assumed the governorship on seven occasions ranging in length of time from several months to almost four years. The degree to which the council exercised its powers during the periods when it was the sole executive authority in the colony was usually dependent upon the status of the

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[33]April 23, 1734, EJCV, IV, 320. Morton, Colonial Virginia, II, 565, Flippin, "William Gooch, Successful Royal Governor of Virginia," W&M, (2), VI, 12. Byrd's London, Diary, 1717-1721, 39-41.

governor's control of the council immediately prior to the time when the senior member assumed office.

The most active presidential administration was that of Edmund Jenings from 1706 to 1710. Since the council had been fighting the "usurpation" of its executive authority by the former Governor Nicholson, after the death of his successor, Governor Edward Nott, the councillors made an effort to recover all of the power which they thought that they had lost. Jenings was instructed by the Board of Trade to

> execute our commission and instructions and the several powers and authorities their in contained in the same manner and to all intents and purposes as our lieutenant governor.[However, he was instructed not] to dissolve the ASSEMBLY . . . . to remove or suspend any of the members of our said council. nor any judges, justices of the peace, and other officers, civil or military, without the advice and concent of AT LEAST SEVEN of the council . . . .[34]

During this period, Jenings and the council governed by not calling the assembly into session. By 1709, they had successfully regained all of their authority lost to Nicholson over the appointment of militia officers, justices of the peace, and land distribution. The council was responsible in this four year period for actively governing Virginia. This was the period of most vigorous action by the council during the administration of its president.[35] The council reacted to the assumption of their executive powers by a former governor

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[34]Labaree, Royal Instructions to British Colonial Governors, I, 77-8.

[35]Webb, "Officers and Governors," 220, 306-10, 315, 324, 334. Williams, "Political Alignments in Colonial Virginia," 83-5. Morton, Colonial Virginia, I, 398-9. March 9, 1709, EJCV, III, 233.

and worked to restore them. Thus the situation was created that the new governor, Alexander Spotswood, found all the ingredients for conflicts. He had the unenviable task of reasserting complete royal authority over a body of men who had acted independently for four years. Thus the council's reaction to Nicholson's assumption of their power in turn caused a reaction when Spotswood tried to assert himself.

Never again would such a double reaction take place. During the shorter presidencies of Robert "King" Carter 1726 to 1727, James Blair 1740 to 1741, Thomas Lee and Lewis Burwell III 1749 to 1751, William Fairfax 1757, John Blair 1758 and 1768, and William Nelson 1770 to 1771, the council did not seek to regain old powers or generate any momentum for their future control. Significantly these presidencies all took place during or immediately after the administration of a popular governor. The council members were by this time too burdened with their other duties to continue active politics and so their acquired power slowly slipped from their hands. With nothing to react against, the councillors performed their executive duties quietly and with no attempt to garner new ones.[36]

When the presidency occurred after a governor had been

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[36]Williams, "Political Alignments in Colonial Virginia," 220-3. August 1, 1726-August 17, 1727, EJCV, IV, 113-44; Oct. 16, 1740-June 11, 1741, Sept. 4, 1749-Nov. 1, 1751, ibid., V, 24-61, 300-70; March 18, 1757-March 22, 1757; Jan. 12, 1758-June 2, 1758; March 4, 1768-Oct. 19, 1768; Oct. 15, 1770-July 20, 1771, ibid., VI, 28-34, 78-99, 286-300, 366-430.

active against the interests of the councillors, then the council reacted to recoup its lost executive powers. When the governor and the council had been working fairly closely together in the executive function, then the periods of the presidency were quiet. Thus the seven presidencies through the eighteenth century indicate the relaxing of conflicts between the governor and the council over executive functions.

The executive functions of the council were in actuality its most important duties. Although the wishes of the Board of Trade of 1698 were not maintained, the council performed its executive functions capably through the eighteenth century. Still as the years progressed in this century, the increasing volume of business which the councillors had to perform in this function led to an overburdening of this small group of men.

The second element of the council's function was its legislative duties. The legislature of the colony of Virginia was, according to the Royal Instructions, composed of the governor, the council, and the House of Burgesses. These three separate entities functioned together to comprise the legislative authority of Virginia. Usually through the first half of the eighteenth century, the governor sat in all legislative meetings of the council. After 1750, however, the governor's attendance was irregular and the senior member of the council presided.[37] In effect, the legislative function of the governor

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[37]See LJCV, III.

and the council were thus separated. The council maintained its right through the entire eighteenth century to concur, to initiate, to amend, to veto, and to compromise on legislation. Still during this century, the two houses, despite intermittent legislative squabbles, worked together on a great variety of issues because both houses were composed of like-minded men.[38] It should be noted that the council's approval of legislation sent up from the lower house was a legislative function while the council advising a governor to sign a bill into law was an executive function. Spotswood particularly remarked on this duality of the council when he wrote the

> strange distinction made by some of the Council that their acting in ye General Assembly and at the Council Board are two different capacitys, That, as an Upper House of Assembly, they may concurr in making Laws, which afterwards, when their Opinion is asked as Councillors, they may, nevertheless, think unfitt to be passed.[39]

Throughout this entire period, councillors and burgesses fought over measures, came together to discuss compromises in joint committee meetings, and joined together in political factions to support or oppose specific measures or policies. Despite the relatively close working relationships, the two houses fought intermittently throughout the entire

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[38]Greene, Quest for Power, 29-30. Williams, "Political Alignments in Colonial Virginia," 224.

[39]Spotswood to Lord Commissioners of Trade, January 27, 1714[1715], Letters of Spotswood, II, 101.

period. The major conflict resulted from the attempts by one house to preserve its privileges and prerogatives from the encroachment of the other house. Usually in such a conflict, the burgesses had acquired some rights which the councillors believed were theirs and so they would rebuke the lower house and attempt to retrieve the privilege which had been taken by the lower house.

In the instructions to Nicholson in 1699, the Board of Trade sought to give the council the upper hand in the initiation of legislation. In the eighteenth century, most of the conflicts between the two houses arose over this intended supremacy of the council. The council tried to maintain its legislative function and to keep the lower house in check. The governor was definitely an interested party . At first the power went to the house which he was supporting.

In 1705, during the Nicholson crisis, the council reprimanded the burgesses for entering the conflict. The burgesses had passed a resolution stating that "the better part of her Majesties good & Loyall Subjects here are not of the same sentiments with that part of the Councill which have accused his Excellency of Mal-Administration."[40] When the council received word of this resolution, Lightfoot, Carter, and Ludwell attempted to enter the chamber of the lower house. When the burgesses refused them admittance, the three councillors

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[40]Proceedings of House of Burgesses, May 4, 1705, in VMHB, VIII, 141.

wrote to the assembly because "you have not thought fitt to admit us Personally to give you our reasons against your intermeddling with ye complaints & against his Excellency . . . ." The councillors listed their reasons why the assembly was outside its jurisdiction. According to them, the protest was made since it is "their Proper Province to give the best advice they can for preserving her Majestys Interest & ye Peace & Welfare of her Subjects . . . ." They continued that since

> the matters contained in the Complaint are Mal-Administrations in ye Councill . . . so that the Councill . . . are most nearly concerned in them as relating chiefly to their Libertys & Privileges in which the House of Burgesses cannot take upon them to intermeddle in this affair without making themselves Judges of the Rights & Privileges of ye Council which in consequence may create lasting Divisions & Misunderstandings between them & the Burgesses . . . .[41]

The administration of Spotswood eventually brought opposition from both the burgesses and the councillors. Despite the unanimity which developed between the members of the two houses on the removal of the governor, conflict existed between the two houses too. In 1715, the council refused every attempt by the burgesses to repeal an unpopular tobacco act. While the councillors were busy in their efforts to remove the governor, the lower house tried to encroach on the privileges of the councillors in August, 1718, by asserting

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[41]Petition of Lightfoot, Carter, and Ludwell, in ibid., 136-8.

the right of only the lower house to hear and redress grievances. The council responded by reminding the lower house that all such cases could only be heard by the General Assembly with the consent of the governor.[42]

Even though there was this constant bickering over privileges and prerogatives much of the governing was handled on an informal plane. William Byrd II once recorded that

> After dinner we [the council and the governor] sat and talked about several matters relative to the Assembly-till about 6 o'clock and then I went home with Colonel Ludwell and several of the Burgesses came to us and we talked of the public business till nine . . . .[43]

Councillors and leaders of the burgesses met socially, both informally and formally. From these meetings, many problems were solved and a few created.

During the period of Drysdale and Gooch, as the council was becoming less the center of the opposition to the governor, the burgesses started to act more independently. In part this was caused by the increase in the number of seats in the lower house due to the increasing population. Also the councillors were becoming too busy to handle their legislative duties. The lower house showed the initiative to assume the power released by the councillors and gradually took over the major role in the legislative duties.

Second with so many council seats almost hereditary

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[42]Leonidas Dodson, Alexander Spotswood (Philadelphia, 1932), 55-6, 124-5.

[43]Nov. 7, 1720, Byrd's London Diary, 1717-1721, 472.

or assigned to several governmental positions by 1750, cadet branches even of the most prominent families were no longer assured a seat. Prominent men started to make the assembly a career and neither sought nor received promotion to the council. Also many of the burgesses had social prestige and wealth equal to the councillors. Members of the lower house did not have to join the select group at the top of the government to be recognized. Third, many of the councillors had become complacent and lived on their laurels of besting several governors and so no longer worried about conflicts. Thus in this period, the pendulum of power swung from the council to the burgesses for a variety of reasons. Finally, the council or members of the council supported the burgesses on numerous occasions during this period. Through both informal connections such as Byrd indicated in his diary or formally initiating or supporting legislation, the council continued to play a role in the legislative functions.

In the 1740's, the burgesses tested their power and several conflicts resulted with the council. From 1739 to 1748, there was fairly persistent pressure by the burgesses to change the method of selection of vestrymen. Each time the bill was sent up to the upper house, it was vetoed.[44]

Then shortly after the burgesses had censored councillor John Blair in 1748 for maligning the Speaker, John

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[44]Williams, "Political Alignments in Colonial Virginia," 222-3, 294-5, 317, 326. Greene, Quest for Power, 29-30, 66-7.

Robinson, junior, the two houses got into a controversy over the right of the burgesses to search the council minutes for information. In fact, the burgesses seized the council minutes thereby drawing sharp criticism from the council. The charges and counter-charges were published in the Virginia Gazette. The burgesses determined that the statements "were Malicious and scandalous" and so they had William Parks the printer arrested. They demanded the information from the council chiding the councillors with the statement that

> it is unparliamentary and beneath the character assumed by the Council, to have their proceedings printed in a common News-Paper, the House of Burgesses are unwilling to give Credit to an Assertion that carries in it so gross a Reflection on the Wisdom and Honour of the Council . . . .

The councillors responded that

> They further inform your House, that Reasons and Argument are not to be borne down by a Torrent of abuse and Detraction; and if your House thinks that the Representations and Resolves will not stand the test of Reason and Precedent, you may answer them if you think fit.[45]

Shortly after this encounter, the governor prorogued the assembly and it did not meet again until Dinwiddie became governor in 1752. During the interim, the presidents of the council were in charge.

With the arrival of Dinwiddie and the succession of Fauquier seven years later, the houses were in a constant

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[45]"The Council and The Burgesses," W&M (1), XIX, 8-9.

state of bickering. Usually the council supported the governor against the lower house and because of that, the leaders of the burgesses were irritated with them. Although the incidents changed, the patterns were basically the same. In the dispute over the pistole fee, the selection of a new president for William and Mary, the payment of Peyton Randolph's expenses, the split over the London agent, war preparations, the John Brunskill case, the two penny acts, and the paper money controversies, the councillors opposed the measures supported by the burgesses. However, because of the personalities of the two governors and the informal connections between the two houses, none of the fights ever became so bitter that they were irreconcilable. The controversies were caused by the ambition and jealousy of the members of the houses trying to protect their houses and not by class, social, or economic differences. At this stage of political development, the councillors and burgesses were cut from the same fabric.

The council obviously tried to protect its prerogatives. Because of the constant agitation of this period, the councillors attempted to regain control of the situation. Laws were initiated to be sent down to the lower house, amendments were added to bills, and bills were vetoed. For the next ten years the number of legislative vetoes was on the increase. At times the burgesses despaired because of these vetoes and at other times, Dinwiddie and Fauquier were perturbed. By 1765, however,

the burgesses had certainly obtained a leading position but they never dominated the council.[46]

The burgesses and the councillors were the two of the three elements of the General Assembly of Virginia. Since each had legislative functions, they were thrown into fairly constant conflict. Despite the conflicts and the years of bickering, the disagreements were of an internal nature and did not disrupt the stability of the governing class. For the most part, these disputes taught the members of the two houses how to form political factions and to compromise when necessary.

The third function of the council and the one which by 1750 consumed almost two months a year of the councillors' time was judicial. Since the earliest days of the colony, the council had been designated as the supreme court of Virginia with extensive jurisdiction both original and appellate in civil and criminal cases. Since the 1680's this General Court had been limited to two sessions a year and had become the highest court of appeal in Virginia. The court had concurrent original jurisdiction in all civil cases over £10 as well as cases appealed from county courts and tried all criminal cases involving the possible loss of limb or life as

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[46]Morton, Colonial Virginia, II, 620, 629, 631, 758, 764-5. Dinwiddie to Abercromby, Sept. 1, 1754, Dinwiddie Papers, I, 299; Dinwiddie to Lords of Trade, Sept. 23, 1754, ibid., 328. May 31, 1757, LJCV, III, 1172-3. JHB, 1752-1758, 181-3. Greene, Quest for Power, 102, 282-3.

punishment. In addition, the court had some chancery functions and ecclesiastical duties. In other words, the jurisdiction of the General Court of Virginia was extensive.

With the councillors as members of the court, the governor or president of the council acted as the chief justice. An attempt was made in the early 1700's to select five men exclusive of the councillors and the governor to serve on the court. This in part resulted because the conflict between Nicholson and the councillors was carried into the court chambers and disrupted the work of the court. The Board of Trade recommended the disallowance of the attempt to change the membership of the court. Thus for the remainder of the colonial period, the governor and councillors served as the members of the General Court and five members needed to be present in order for it to function. The only real changes made in the eighteenth century were the lengthening of the court session in 1705 and again in 1745 until it met for two months of every year.[47]

The councillors were jealous of their judicial functions and did not relinquish them easily. Because of their attitude, one of the most bitter fights between the governor and council broke out. With the increasing number of cases to be heard, the court was swamped with business by 1710. As a result, Royal instructions were issued to Governor

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[47]Hugh F. Rankin, Criminal Trial Proceedings in the General Court of Colonial Virginia (Williamsburg, 1965), 1-53.

Spotswood to make more use of Courts of Oyer and Terminer which were basically temporary courts of final appeal used to hear specified cases of life and limb. After several years of laying the ground work for the establishment of these courts, Spotswood in 1712 appointed his first Court of Oyer and Terminer. He appointed both councillors and burgesses to the court. Since, however, he stated that he alone had the right to select judges and that he did not need the approval of the council, the councillors objected, refused to serve or to approve the other members, and thus started a dispute which divided the council and governor of Virginia for almost six years.

The council's protest of the appointment of non-councillors to be judges of oyer and terminer, was referred to the Board of Trade. Four years after Spotswood referred the dispute to the Board of Trade, the Lord Commissioners responded that the governor had the right to appoint anyone to a Court of Oyer and Terminer. This response cost Spotswood most of his remaining conciliar support. For the next two years, the argument continued. Finally, Spotswood announced at a council meeting on December 1, 1718, that he would appoint only members of the council to the Court of Oyer and Terminer if they would acknowledge that it was the governor's right to appoint anyone. The councillors agreed to the compromise. The governor had upheld his authority in principle but the councillors had really succeeded in obtaining recognition of

their personal position. From this time forth, since councillors were the only men appointed to Courts of Oyer and Terminer, they added another time consuming judicial function to their responsibilities.[48] With the settling of this dispute, the quarterly operation of the General Court and the Court of Oyer and Terminer continued almost unchanged for the remainder of the colonial period. This third and final function of the council was the most time-consuming.

In fact, all three of the functions of the council became more time-consuming as the volume of business increased as the eighteenth century. An understanding of this may be ascertained from the several petitions which the councillors submitted requesting an increase in their salary. From 1679 on, Royal provision had been made for salaries to be paid to the councillors.[49] However until 1734, no attempt had been made to increase the stipend. Then with the mounting pressure of business, the councillors petitioned that,

> the Salary allowed to the Members of his Majesty's Council was established in the Infantcy of the Country & is now no ways proportionable to the trouble & charge they are at in attending General Courts & Assembly's besides the frequent Occasions that happen for calling them together for the Publick Service . . . that therfore His Majesty may be humbly moved to augument the Salary of the Council to such Sum as he shall graciously think fit as well in Consideration to their trouble and

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[48] Ibid., 26-36. Dodson, Alexander Spotswood, 162-3, 170. Oct. 24, 1716; May 14, 1718; Dec. 1, 1718; Dec. 9, 1718, EJCV, III, 431, 470, 493-5. Spotswood to My Lords [Summer, 1717], PRO CO 5/1318, #22, VCRM.

[49] Labaree, Royal Instructions to British Colonial Governors, I, 272-3.

> Expence as for the Supporting the Dignity of their office and the Council . . . .[50]

Almost a year later the annual salary of the council was increased from £350 per year to £600 per year. This amount was to be divided among the active councillors.[51]

Eighteen years later the councillors petitioned for another increase because of "the great Increase of Business . . . , the remote Scituation of Many of them from the Seat of Government . . . .[and the] Loss through their long Absence from their Estates." Once again the salary of the council was increased to £1,000 per year in 1753.[52] The councillors tried a third time to have their salaries increased in 1769 but without success.[53]

The repeated requests for salary raises demonstrate the increasing complexity of the functions of the councillors. Though the size of the council was stabilized at twelve in the eighteenth century, the functions of the councillors kept multiplying as the size of the colony increased. Because their constitutional tasks were so numerous, the councillors ceased taking so active a role in the political machinations of the assembly but maintained much of their influence through the uses of the connections which they derived from their

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[50]May 4, 1733, EJCV, IV, 300-1.

[51]April 23, 1734, ibid., 320.

[52]March 23, 1752; Oct. 11, 1753, ibid., V, 380, 441.

[53]Dec. 13, 1769, ibid., VI, 335-6.

various functions. As will be seen in succeeding chapters, the councillors continued, despite the press of council business, to expand their own personal fortunes and their political ties through both formal and informal connections during the eighteenth century. Thus the councillors who may have achieved only for a few years the supremacy in the legislative function which the Board of Trade intended in 1697 and who may not have maintained their check over the governor after 1720, continued because of constitutional functions and informal relations to be a indispensible part of the government of Virginia.

CHAPTER II

THE COUNCIL IN PENNSYLVANIA, THE PROPRIETARY FACTION, 1682-1765

A. THE DOWNFALL OF THE COUNCIL, 1682-1765

An aura of Brotherhood has pervaded early Pennsylvania history. From the inception of the colony to the Revolution, it was a colony set apart. Developed by the Penn family and following certain precepts of colonization, Pennsylvania has a heritage unique in colonial development. During this period, the heart of Pennsylvania was Philadelphia. Yet early in the life of the colony, bickering became a constant feature of the political, economic, and social development. The Quakers were split asunder, a division appeared between the countryside and the city, while ethnic difficulties arose out of the flood of emigrants. Even at the top of the governmental structure, infighting started early with the councillors of Pennsylvania in the middle of most of the disputes. Pennsylvania by its very composition was not a place of brotherly love but a place where, through ambition and motivation, a man had tremendous upward mobility. During the first twenty years, this vertical mobility was an essential element of the political scene.

William Penn promulgated two charters of government in 1682 and 1683, Governor Benjamin Fletcher issued one in 1693, and William Markham (1682-1700) presented another in 1696. In the first two charters, the council was more important than the lower house. However, in the last two, the council lost legislative power. In the 1701 charter, the council had been stripped of all its legislative functions.

Penn envisaged originally a council consisting of seventy-two men to serve as the governing body of Pennsylvania. Because of the number of men needed in the first frame was too great, Penn in 1683 reduced the council to three men elected for three years from each of the six counties.[1] In this way, many men were able to attain prominence shortly after they had settled because of the need of so many men to run the government. According to Gary B. Nash the council established by Penn in 1683 was given "sweeping legislative, executive, and judicial functions."[2] The council had the sole right to initiate legislation, to serve as a last court of appeal, and to

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[1]First Frame of Government in MPC, I, 32-34. Second Frame of Government in ibid., 42-43. Commission to Benjamin Fletcher, in ibid., 352-57. Markham's Frame in ibid., 48-50. Edwin B. Bronner, William Penn's "Holy Experiment" (New York, 1962), 29, 39, 77, 87. Tolles, Meeting House and Counting House, 14.

[2]Gary B. Nash, "Free Society of Traders," PMHB, LXXXIX, 151.

govern in the absence of the governor. Obviously there were conflicts built into the charter. The major problem, of course, was the fact that the assembly had no right to initiate legislation, which was diametrically opposed to the English system at that time.

During the first twenty years, eighty-seven men served as councillors. This is an amazing figure considering that only fifty-five served between 1701-1776. Because of the turnover of men elected from the counties, the council as a whole lacked stability. This caused it to be run by the small group of men who were consistently returned to office by the voters or appointed by Penn or one of the governors. Both William Markham and Thomas Lloyd (1684-93) were dominant figures. Besides these two men Joseph Growden (1687-90, 1694-98, 1708-16), Samuel Carpenter (1687-90, 1694-95, 1697-1713), Nicholas More (1684-86), Thomas Holmes (1683-86), Arthur Cook (1686-93), and others of similar stature who provided the leadership in the colony were in the council for much of this period.[3]

Penn early created a proprietary following by appointing his cousins Markham and James Harrison (1683-85) to office and handing out lucrative sinecures to them as well

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[3]Tolles, Meeting House and Counting House, 13-14, 118. Bronner, William Penn's "Holy Experiment," 88-89.

as to other supporters. Combining family relations and a web of governmental jobs with business interests, Penn sought to weld his council at an early time into an effective agency. As a further stimulus to unity, all who purchased land in the counties received city lots in Philadelphia. Because of this, many of the early councillors including Robert Turner (1686-90, 1693-95) and James Claypoole (1687-88) received lots in the city in proportion to their rural holdings. Thus from the very first most of the councillors lived together in Philadelphia.[4]

Penn created his colony in part as a haven for many people and as a financial venture for himself. Because of the latter reason, he sought to bring prosperous merchants from London and other places who would provide a certain degree of instant respectability and stability. However, by creating a climate in Pennsylvania which stimulated a rapid expansion of economic wealth by land holding and trading, Penn in effect triggered the circumstances which led to many difficulties in his "Holy Experiment" because the men he had imported were more interested in their own well-being than in the well-being of the proprietor. Thus they fought the proprietary to gain control of their own destiny.

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[4]Nash, "Free Society of Traders," PMHB, LXXXIX, 157. Oliver Hough, "Captain Thomas Holme," PMHB, XIX, 420.

In the middle of this fight between all of the interests which were represented in Pennsylvania was the governor's council. Constitutionally and in reality for the first twenty years of Pennsylvania history, the council was the most important institution in Pennsylvania. The members of this council were in intermittent conflict with the governor, the assembly, and themselves during this period.

Penn stayed in the colony for only two years and departed in 1684 leaving the council in charge. When he left, the president of the council was Thomas Lloyd. It did not take long for disagreements to arise in the governmental structure. Though in theory dominant for this twenty year period, the councillors faced one fight after another with the members of the lower house. In the second frame of government, Penn had established the lower house to debate, and then to approve or negate, the acts passed by the council. Obviously Penn had originally intended most of the business of government to be transacted by the council. These were the men whom Penn bound by land and offices to support the government. Also through most of these early years, there was a strong correlation in the membership of the council and the assembly. For example, a councillor served as speaker for twelve of the first twenty years of the existence of the lower house. Others,

because of the two term limitation on membership in the council, returned to the lower house after serving as councillor. On several occasions, councillors suspended by the council reappeared in the house following the next election.[5]

Despite these close political connections and business arrangements which developed, members of the two houses fought incessantly. This was the major divisive factor in Pennsylvania politics for the first twenty years. From 1683 until the royal decree guaranteed the right of equality in 1693, the lower house fought for the privilege of being the more important elective body.

The early sparring between the two houses was not too important. However, by 1685 the assembly had reached the decision not to approve council laws without some new guarantees. For three years, this impasse continued. The first privileges that the assembly sought from the council were the rights to initiate legislation and also to amend that which the council passed.

Open warfare started in 1686 when the assembly made an attempt to impeach Judge Nicholas More, whom it

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[5] MPC, I, 47-48. J. E. Pomfret, "The First Purchasers," PMHB, LXXX, 159. Bronner, William Penn's "Holy Experiment," 45. John W. Jordan, Colonial Families of Philadelphia (2 vols., New York, 1911), I, 280.

had severely chastised several years before. When the council did not pursue the impeachment, the assembly presented a full list of grievances at the next session in 1687. Finally, in 1688, the council stated that the assembly had no right to pursue its acquisition of power. The specific complaints were that the assembly had to present its speaker for approval, that the assembly could not form a committee of which the councillors were to be a part, and that the assembly could not keep their journal secret.[6] With these resolutions, difficulties were temporarily quieted. Penn became involved in the dispute because the assembly was violating his charter. The proprietor wrote:

> the Assembly, as they call themselves, is not so, without Governor & P[rovincial] Councel, & that noe speaker, clark or [minute] book beleng to them [;] that the people have their representatives in ye Pro. council to prepare & the Assembly as it is called, has only the power of I or no. . . . If they turn debater or judges, or complainers you overthrow their Charter . . . here would be two assemblys, & two representatives, whereas they are but one, so two works, one prepares and promotes, the other assents or Denys--the Negative voyce . . . is not a debating, amending, altering, but an accepting or rejecting power minde I entreat you, that all fall not to pieces.[7]

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[6]Bronner, William Penn's "Holy Experiment," 44, 93-102. Tolles, Meeting House and Counting House, 43-44. H. Frank Eshleman, "The Struggle and Rise of Popular Power in Pennsylvania's First Two Decades, 1682-1701, "PMHB, XXXIV, 141-42, 145.

[7]Bronner, William Penn's "Holy Experiment," 93.

Lacking internal unity, the council could not support Penn's theory of government, as described above. Because of the constant turnover, the development of councillor factions provided another of the inherent problems. One faction centered on Thomas Lloyd, who supported the proprietary interests and the Quaker faith, and another grouped around Nicholas More who opposed the actions of the council and Lloyd personally. With these two feuding, the fact that the president of the council was only deputy-governor while the council was in session is important. There was no visible government when the council was not meeting. Penn had hoped that the council would meet weekly to give the province continuous leadership. Because the men received no salaries and were trying to establish themselves, the council met infrequently. When they did meet, very often the councillors spent most of their time debating trivial matters. For men who had come to the New World in part for financial advancement, the time-consuming function of government became a severe strain.[8]

Because of this strain upon the councillors and the letters which they wrote to Penn complaining about all

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[8] Ibid., 64, 89-92. Nash, "Free Society of Traders," PMHB, LXXIX, 171. Markham to Penn, Aug. 22, 1686, in Nash (ed.), "The First Decades in Pennsylvania: Letters of William Markham and Thomas Holme to William Penn," ibid., XC, 328.

of the difficulties, he attempted to shore up his government by appointing a commission of five men to act jointly as deputy governor in 1687. He originally appointed Thomas Lloyd, Robert Turner, Nicholas More, James Claypoole, and John Simcock (1683-89, 1697-1700) in order that most of the major factions were represented; but because More and Claypoole had died, the proprietor added Arthur Cook and John Eckeley (1685-90). Penn indicated that he would pay them £100 per year but later he changed his mind and offered them one-half of the taxes collected. Apparently the commissions were slow in arriving and so went into effect almost a year after his original instructions. Penn hoped that the commissioners despite personal animosities would function together for the sake of his province; but his hopes were in vain.[9] He empowered the commissioners to hold regular council meetings, to halt the conflict between the council and the assembly, to stop immorality in government, and to enforce the laws more vigorously.

For less than a year, the commissioners were in charge. Then in December, John Blackwell, carrying a commission dated September, 1688, came as the new governor.

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[9]Bronner, William Penn's "Holy Experiment," 95, 101-05. March 9, 1688, MPC, I, 212. Markham to Penn, Oct. 5, 1686, in Nash (ed.), "The First Decades. . . . ," PMHB, XC, 337.

Blackwell, a Cromwellian officer in the Puritan Revolution, arrived in Philadelphia to find the council chamber in a state of disrepair which was symbolic of the state of the council as well. His service as governor was further complicated by the obvious jealousy of Thomas Lloyd. Edwin Bronner described Lloyd's actions as "childish, picayune, and illegal."[10] Lloyd at first refused to endorse the commission for Blackwell with the Great Seal. Throughout the Lloyd-Blackwell dispute, the councillors with the exception of Arthur Cook supported the governor.[11] As a result of the early encounter, the council censored Lloyd, a maneuver which caused Robert Turner to write "we have two Governors & two councils: One within and another without."[12] With the election of Thomas Lloyd to the council from Bucks County, Blackwell charged him with high misdeameanors. Because of the governor's attack, Lloyd became the symbol of Quaker leadership. For almost nine months, Blackwell fought the Quaker faction led by Lloyd and supported by William Clark, Joseph Growden, Arthur Cook, and others in the council. The governor

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[10]Bronner, William Penn's "Holy Experiment," 112-13.

[11]Ibid., 73, 110-18. May 5, 1689, MRC, I, 273-74, 279-81. Nicholas B. Wainwright, "Governor John Blackwell," PMHB, LXXIV, 457-72. Blackwell to Penn, Feb. 25, 1688/89, Blackwell Papers, MSS, in HSP.

[12]Quoted in Wainwright, "Governor John Blackwell," PMHB, LXXIV, 463.

sought to be absolute and the Quaker faction on the council sought to preserve its power. The government could not function without Lloyd's friends because in their absence both branches lacked a quorum. An impasse was reached and after receiving a critical letter from Penn, Blackwell resigned. The council of Pennsylvania had bested its first governor.

With the departure of Blackwell, Thomas Lloyd was again in command from 1690 to 1693 but the trouble did not cease. The next dispute broke out between Lloyd and William Markham concerning the governing of the lower counties. The representatives from the lower counties, which today comprise Delaware, had been objecting to the government of the council. They wanted a governor of their own. At the same time, a split started among the Quakers because of the teachings of George Keith. Finally Markham and Lloyd divided the colonies into two separate entities. Lloyd acted as deputy-governor for Pennsylvania and Markham for the lower counties. However, the council continued to function for both areas. With this division accomplished, the councillors behaved peacefully for the next two years.[13]

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[13]Bronner, William Penn's "Holy Experiment," 118-27, 131-47. Eshleman, "The Struggle and Rise of Popular Power. . . ." PMHB, XXXIV, 146. Wainwright, "Governor John Blackwell," PMHB, LXXIV, 464, 468, 470.

The council changed again in 1693 with the arrival of Benjamin Fletcher, the royal governor of New York, as the new royal governor of Pennsylvania. Since the Glorious Revolution, Penn had been under suspicion by William and Mary. Finally in 1692, the sovereigns removed him as proprietor and sent a commission to Fletcher. With this change, the council underwent another revision. When Fletcher initiated the third charter in Pennsylvania's short history, the council underwent another revision. The council was to consist of twelve men appointed by the governor. This manner of selection was strongly contested by members of the old council and many refused to serve the new government in any capacity. In Fletcher's instructions, the assembly took its first identifiable step towards the primary position that the assemblymen had sought. Under Fletcher, the assembly received the right to initiate legislation.

To accomplish the organization of the new council, Fletcher first tried to interest Lloyd in the position of first ranking councillor. Upon his refusal, Fletcher selected Markham who thus became the deputy-governor. Although the council was to consist of twelve, the governor never appointed more than nine men. Of this group all but Markham and John Cann were men who had not served on the preceding council under Lloyd. Included in this number

were four members who accepted the Keithian heresy and others who opposed the Quaker rule. Because of Fletcher's simultaneous appointment in New York, Markham and the eight councillors ran the colony until Penn received it back in 1694. Fletcher had been instructed to "reestablish law and order in Pennsylvania," and to have the colony pay its share of colonial defense. During the period of Markham's royal administration, the assembly successfully won the right to be the more important elective house at the expense of the council. At the only meeting of the assembly while Fletcher was in Pennsylvania, the assembly openly challenged him over the money bill while the council remained in the background. After Fletcher left, the council continued to meet regularly but at the next meeting of the Assembly, the assemblymen led by David Lloyd successfully challenged the council's right to adjourn the lower house.[14]

With the restoration of the proprietorship, Markham continued as deputy-governor until Penn arrived in the colony in 1699. During the five year period, 1694 to 1699, the council underwent three more changes. At first, Markham continued the ex-royal council with the addition of John

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[14]April 26, 1693; April 24, 1693; May 2, 1693; June 2, 1693, MPC, I, 365-71, 375. Bronner, William Penn's "Holy Experiment," 154-70, 179.

Goodson and Samuel Carpenter as assistants. Then in April, 1695, he issued writs for the election of a new council which assembled on the 20th of that month. With the exception of William Clarke, this group of councillors was entirely different from the preceding council, although more than half of the men had served before the royal interlude. Because of the recalcitrant attitude of this council about defending the province and the rise of feeling against this unstable form of government, Markham, decided in September, 1696, to appoint his own council. It consisted of six men from the old elected group plus four new men. This body included only three practicing Quakers and seven men who either supported the Keithian heresy or were Anglicans.[15]

Upon the assemblying of his appointed council, Markham instructed them in their duties by saying

> I know you are all men that are fastened to the Country by visible estates . . . of which each of you have a plentiful portion, and thats a great securitie that you will study the interest of the Country, and will advise me in what you believe to be for the saftie and preservance of it. . . .[16]

Having appointed his own council and called the assembly in late November, 1696, Markham issued his frame

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[15]March 26, 1695, MPC, I, 472-74. Bronner, William Penn's "Holy Experiment," 171-77.

[16]Sept. 28, 1686, MPC, I, 497.

of government. Under this frame, two councillors were to be elected from each county and the lower house maintained its right to initiate legislation.

Opposition was immediately expressed by the faction led by Robert Turner, Griffith Jones, Thomas Fairman, and Arthur Cook. These men represented a number of smaller factions including some non-Quakers and some Keithian Quakers. Their stated reason for opposition was a point of principle the frame had not been adopted legally.

Under this new frame of government, another council was elected in early 1697 which was composed of five hold-overs and seven new members. To express opposition to this election, the members of the faction which had opposed the frame staged their own election for councillors and assemblymen on the day established in the Frame of 1683. Upon election, the new representatives presented themselves for swearing in. Markham resisted this small insurrection. The assembly and the council constantly clashed amidst general popular opposition to Markham.[17]

Penn finally arrived in November, 1699, after Markham had ruled for more than five years. The proprietor had even more trouble in determining which frame of government to

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[17]Bronner, William Penn's "Holy Experiment," 171-89.

use. When he arrived, the council in session had been elected under the Markham frame which the proprietor did not recognize. So when he issued writs for the new election in March, 1700, Penn returned to his second frame of 1683, which called for the election of eighteen members. When the new council met in March, fifteen members were present, only three of whom had never served before. Some of the councillors immediately asked for a new frame of government. After some discussion between the two houses, the frame of 1683 was returned to Penn and there was no constituted government for a year. Because of this circumstance, Penn appointed a different council in June, 1700, thus following the precedent of Fletcher and Markham to name men whom he could trust in a period of transition.

For the remainder of the colonial period, the council in Pennsylvania was appointive. The councillors from this time became loyal supporters of the proprietary interests. Penn ran into trouble with these councillors whom he selected because some of them were elected to the lower house in September. He agreed to let them serve if they would return to the council after the session was over. By the time this session was concluded in 1700, Penn was ready to return to England.[18]

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[18] Ibid., 206-07, 210-19, Feb. 15, 1699/1700, MPC, I, 577.

For almost twenty years, the council had been created, elected, reformed, and appointed, a sequence of events which contributed to the political chaos of the period. The answer to why almost ninety men served is obvious. The governmental structure underwent so many changes that in the year 1700, three separate councils served under three different expressions of government and not all the men served on the various councils. (see chart next page.)

Despite this lack of stability, the council during this period was the major organ of government. Several men, particularly Thomas Lloyd and William Markham, notwithstanding their many difficulties, provided almost continuous leadership for the province. Other than these gentlemen, there was a constant turnover caused either by the annual election or the appointment of new members. With the rapid turnover and the instability of tenure, the councillors were unable to overcome the gradual acquisition of power by the lower house. This effort of the lower house to secure political power took place over a twenty year period. The result of the pressure of the assemblymen for power was constant strife. Battles with the lower house also included disagreements over the prerogatives and privileges of the two bodies.

Besides the fights with the lower house, the council was also split by intra-council divisions. The Keithians,

TURNOVER IN THE MEMBERSHIP OF THE COUNCIL, 1683-1700

	1683	1684	1685	1686	1687	1688	1689	1690	1691	1692	1693[A]	1695	1696[B]	1697	1698	1699	1700	1700[C]	1701[D]
New	18	8	8	3	5	6	3	4	0	6	5	7	4	0	1	0	6	1	2
Returned	0	10	10	15	11	11	13	10	0	6	1	1	5	6	7	9	8	3	8
Re-elected	0	0	0	0	1	1	2	4	0	0	3	10	1	6	4	1	4	4	0

A. These councillors are Benjamin Fletcher's appointees.

B. These are the men whom William Markham appointed.

C. William Penn appointed these men to advise him after the return of the charter in 1700.

D. This was the first official new council under the Charter of 1701.

the Quakers, the Anglicans, the Lower county representatives, the royal supporters, and the Whigs were all divisive groups. At various times in this twenty year period each of these factions divided the council. Further external problems such as empire defense also divided the council. Finally, the support of the proprietorship by many of the councillors was also a problem. With Penn being absent so many years, the colony more or less learned to function without him. In the end, though the councillors accepted sinecures and land from him, they too were unwilling to recognize his authority. From Samuel Richardson's opposition based on the Whig theory of government in the 1680's through the obvious pleasure of some of the councillors during the royal interlude to Robert Turner's objections to proprietary control, the council as a body was not firmly committed to Penn although at least Lloyd's faction of Quakers usually supported him.

When Penn departed from Pennsylvania for the last time in 1701, he left behind a new chater, a new Lieutenant-governor, Andrew Hamilton, and a new provincial secretary, James Logan (1702-47). For many years to come the council, with Logan as a member and its dominant personality, tested its strength under the new charter and against the succession of governors which followed. Since the council had lost

all of its legislative power in the new charter, the new council was conceived as only an advisory body for the governor.

The councillors whom Penn appointed were for the most part old councillors who had served through the several changes in government. Of the ten, only John Guest (1701-07) and Samuel Finney (1701-13) were new, while Edward Shippen (1696-1712), Samuel Carpenter, William Clark (1683-89, 1693-1705), Thomas Story (1700-14), Griffith Owen (1690-1717), Phineas Pemberton (1685-88, 1695-1702), Caleb Pussey (1695-1726), and John Blunston (1690-93, 1700-06) were holdovers. Six of the men in this council were merchants; three, John Guest, William Clarke, and Thomas Story were lawyers; and Owen was a doctor. The only family group on the council at this time was Edward Shippen and his son-in-law Thomas Story. Further Penn in his appointments had chosen almost entirely a Quaker council because at least eight of the men were of that faith. Thus he negated the previous thread of having non-Quaker councillors.[19]

Under the Charter of Privileges of 1701, a new type of council was constructed within the government. From this time on for the rest of the colonial period, the council of

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[19]See Appendix A. Commission to Council, PA (4), I, 125. Keith, Chronicles of Pennsylvania, I, 402-09. April 21, 1702, MPC, II, 68. Shepherd, Proprietary Government in Pennsylvania, 318-21. Tolles, Meeting House and Counting House, 43-44, 118. Bronner, William Penn's "Holy Experiment," 248-49.

Pennsylvania was appointed; it no longer had the right to initiate legislation. Further the governor did not always have to have the permission of the council to act. Because of these changes the council was not an elective body accountable to the freeholders, but a group of men responsible to the proprietor.

Because of the newly-given authority to the assembly and the absence of a proprietor for more than thirty years, the council was not only the governor's council but also the proprietary "party". Despite factions within, the councillors were the foundation of the proprietary party and the protectors of the proprietor's interest. Defense, finance, disposal of land, the right of veto, and the protection of other privileges were all components of forthcoming disputes. Since the councillors had lost most of their constitutional power in the Charter of 1701, they had to develop new ways of acquiring power through informal connections.

B. THE REGAINING OF POWER BY THE COUNCILLORS, 1701-1763

The story of the council to the Revolutionary period is the history of how a changing group of twelve men which had little actual and no legislative power achieved a prominent position in the governmental structure of Pennsylvania. In order to understand how the councillors re-

asserted the power of the council, the conflict between the council and the governor over its rights and the councillors' gradual regrouping of power both visible and invisible will be discussed. Second, some attention will be paid to the councillors' support of the governor and the benefits this support accrued. Included in this part will be a discussion of the shifting of the membership of the proprietary faction from a Quaker oriented group to a body of men who were predominantly Anglican. Third, the changes in the internal structure of the council due to the increasing number of Anglican councillors, family combines, and changing professions represented will be analyzed. And finally, the various conflicts with the assembly will be reviewed. From this discussion, a better view of the council's position in eighteenth century Pennsylvania should be attained.

The councillors, despite the loss of constitutional functions, argued intermittently with the governor for almost fifty years over their prerogatives and privileges. These disputes attained their heights during the administration of Governor Sir William Keith. Before his time, the council had only one serious dispute with the governor. In 1708, when the assembly attempted to impeach James Logan, Governor John Evans planned to sit in judgment. The council objected because nowhere in the charter was he given the right to take part. This dispute resulted in the new governor

Charles Gookin being instructed by the proprietor to support Logan, and the governor was ordered not to act without the consent of the council. So the council had regained within ten years its right to check the governor's actions.[20]

Gookin followed neither of the instructions. He acted without the consent of the council, and, further, he antagonized Logan. As a result of six years of continual bickering between the governor and the council, the members of the council recommended to the proprietor the appointment of Keith, the surveyor-general of customs for the Southern District as the new governor. By this recommendation, the council asserted its right to criticize the governor to the proprietor and won the right to act in this manner.[21]

For the council, a new day had dawned. They had received the governor whom they had requested. Yet the next ten years proved to be the period of greatest tension between the council and the governor in Pennsylvania history. For the first two years, the relationship between Keith and the councillors was satisfactory. Then conflict erupted in 1718. The incident which started the controversy concerned

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[20]Keith, Chronicles of Pennsylvania, II, 460, 463, 473-74. See Article of Impeachment against Logan, Oct. 1706, in Logan Papers, HSP. R. L. D. Davidson, War Comes to Quaker Pennsylvania (Philadelphia, 1957), 16-17.

[21]Keith, Chronicles of Pennsylvania, II, 557, 568, 570-72. Davidson, War Comes to Quaker Pennsylvania, 18.

the council's right to amend legislation. Keith, in an attempt to rush the passage of bills through the council, had placed a time limit on the period available to the councillors to discuss and amend the bills sent up from the lower house. After much disagreement, Keith asked the dissenters to leave. Forthwith James Logan, Richard Hill, Isaac Norris, and Jonathan Dickinson left the meeting.[22] Although the legislation passed, the councillors achieved the right to advise and consent on bills sent to the governor by the lower house. In every set of proprietary instructions to governors for the next forty years, the right was underscored again and again. Thus the councillors achieved and held the right in effect to veto assembly bills and so re-established their upper house functions.

At the same time that these events were taking place Penn died. This caused much confusion as to which Penn heir would inherit Pennsylvania. For the next eight years, branches of the Penn family were in conflict and this disruption was relayed to Pennsylvania. Keith initiated his own course which was almost independent of the Penn family and some councillors led by Logan opposed this assumption of power at the expense of Hannah Penn. Certain councillors were appointed trustees of the Penn land in the colony thus insuring their continued support. With

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[22]Keith, Chronicles of Pennsylvania, II, 581-87. Feb. 22, 1718, MFC, III, 29. Tolles, James Logan and the Culture of Provincial America, 117.

the majority of the councillors supporting Hannah and with Keith operating on his own, political relationships between the governor and the council continued to deteriorate rapidly.

Keith attempted every maneuver to maintain his independence. He governed the lower counties separately and hardly consulted the council concerning any problems in that area. Also he suspended Robert Assheton (1711-19, 1722-28) in 1719 for divulging the secrets of the council meetings. Later, when Keith needed supporters among the Penn family, he reinstated Assheton in 1722 and appointed his son at the same time. Additionally Keith got into serious trouble with the council over the issuance of paper money. The councillors, many of whom were merchants, did not want the issuance of a cheap paper money. Keith, as had Spotwood in Virginia, neglected the economic interests of some of the councillors and so lost their support. Nevertheless, when the paper money was issued based on a land bank, several of the councillors served as directors.[23]

Keith finally met his match in James Logan. Both of these men were strong personalities, and they clashed on many occasions. In 1722, Keith accused Logan of changing

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[23]Nov. 7, 1719; May 22, 1722, MPC, III, 64, 181-82. Keith, Chronicles of Pennsylvania, II, 646-47, 651, 667-78.

the minutes of the council to reflect unfavorably on the actions of the governor. He suspended Logan as provincial secretary and replaced him with his own appointees. Logan had held this position for more than twenty years with a commission signed by William Penn. Logan sailed to England to consult Hannah Penn and to obtain his reinstatement as secretary. Hannah reappointed him and sent a new set of instructions to the governor. Keith was to accept the reinstatement of Logan, he was not to appoint further councillors without the present councillors' approval, and finally he was to act only with the approval of the council. In brief, she had reiterated the council's right to veto measures and to check the governor. Keith promptly indicated that he would not accept the directives and appealed to the lower house for support. He attempted to arouse popular feeling to combat this supposed usurpation of the power of the assembly. As a result, Keith and Logan attacked each other in a pamphlet war which ended in 1726 with the governor being replaced by Gordan.[24] The ten years at Keith's administration was the most violent period of council-governor relations. Yet out of this conflict the council did

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[24]Keith, Chronicles of Pennsylvania, II, 671, 675-76, 680. Konkle, The Life of Andrew Hamilton, 40. Tolles, James Logan and the Culture of Provincial America, 121-26, 131-33, 136-37.

strengthen its right to veto bills, to check the governor, and to approve appointments to the council. Further, the council by supporting the proprietors at the expense of the governor proved that those who supported the Penns received the greatest benefits.

Since the councillors were striving to assert themselves, through the administration of Governors Evans, Gookin, and Keith, a friendly entente was not reached with a governor until Patrick Gordon arrived in 1726. Because of the difficulties between Keith and the council, Hannah Penn had issued many instructions to Gordon about cooperating with the council which the new governor followed closely. As a result of obeying the instructions, Gordon in effect accepted the preeminent position of Logan who ran the council and dominated the governor for most of the period. This relationship continued until Gordon died in 1736.[25]

Because Thomas Penn was in the colony during part of the 1730's, the councillors participated in many of his projects. Particularly important were the many Indian treaty meetings as well as inter-colonial conferences. The councillors worked actively in all of these areas. Also the boundary dispute with Maryland involved several of the councillors

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[25]Keith, Chronicles of Pennsylvania, II, 741, 747, 755-57. Tolles, James Logan and the Culture of Provincial America, 141. Thayer, Pennsylvania Politics and the Growth of Democracy, 1740-1776, 11.

in preparing legal briefs to present the case of the Penns.[26] From this active participation in the well-being of the colony, most of the councillors demonstrated an interest which has not been recognized by later historians. For example, Thayer has pictured the councillors as a reactionary body wishing to return to the former political status under the charter of 1683. The facts do not support this conclusion. The councillors achieved new power during this period by becoming involved in the total life of the colony.[27]

With the death of Governor Gordon, James Logan accepted the presidency because of his distrust of the next two ranking councillors, Anthony Palmer (1708-49) and Samuel Preston (1700, 1708-1744). Logan, long a supporter of the proprietary interests, demonstrated the changes that were coming over the council. In the years preceding, men had chosen not to serve as councillors because of the lack of power of the office. But from this time on to the end of the colonial period, the councillors comprised an active political group which should be termed the friends of the

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[26]Keith, Chronicles of Pennsylvania, II, 758. Tolles, James Logan and the Culture of Provincial America, 150-51.

[27]Keith, Chronicles of Pennsylvania, 767, 791-92. Thayer, Pennsylvania Politics and the Growth of Democracy, 1740-1776, 8. 162-63, 167-73, 183.

proprietors. The result of this friendship was to increase the power of the council.

The appointment of George Thomas as governor brought to power one of the best men who ever held that office. Thomas, before coming to office, had been an assemblyman and councillor in Antigua. Because of his previous experience in colonial government, Thomas was able to get along with his councillors. For the most part, he was ably supported by them in return. This was demonstrated at the time of the War of Jenkins' Ear. The question of defense had always been a nagging problem in Quaker Pennsylvania. In 1740, Thomas received adequate help from the council although he ran into the normal recalcitrant attitude of the assembly. Even Logan realized the necessity for Quaker support and tried at the Quaker's annual meeting in August, 1741, to stimulate some support there. But only Robert Stretrell (1741-61) actively supported Logan in his attempt to influence the annual meeting.[28]

With the support of the governor shortly after this meeting in October, 1741, the proprietary group began to assert itself in the elections. At this fall election the

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[28]Tolles, James Logan and the Culture of Provincial America, 154-66. Keith, Chronicles of Pennsylvania, II, 802-12. Davidson, War Comes to Quaker Pennsylvania, 31-33.

proprietary-Anglican group under the direction of Thomas won a number of the contests for the corporation of Philadelphia. Though the councillors had actively participated in the city government since its inception, this was the first time that the councillors had made a concerted effort to win an election. A little over a month later, Thomas rewarded Stretrell, the pro-defense Quaker, with an appointment to the council. With an active governor, the councillors began to realize their strength and to approach a new level of political involvement.[29]

In the early 1740's, the Quaker assembly and the governor with the council behind him were harshly critical of each other. The climax of this rejuvenation of the proprietary-council group came in the fall elections of 1742. William Allen, leader of the proprietary faction along with others apparently stimulated a group of sailors to harass the Quaker voters. In the melee which followed, a number of the councillors became actively involved. Preston was badly beaten when he walked through the mob. Although some councillors may have initially stimulated this assault before election time, some of the more moderate councillors tried to

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[29]Keith, Chronicles of Pennsylvania, II, 854. Thayer, Pennsylvania Politics and Growth of Democracy, 1740-1776, 16-17.

halt the riot. As a result, the assembly passed a vote of thanks to councillors Thomas Griffith (1734-43), Thomas Lawrence (1718-53), Samuel Preston, and Ralph Assheton (1726-46) for helping to suppress the riot. Despite this vote of thanks, the councillors maneuvered to halt an investigation. After this outbreak most of the bad feelings were quieted and Thomas had a peaceful four years before he left in 1746.[30]

The council's final assertion of power came after Governor George Thomas, who had been governor from 1738 to 1746, left for England leaving behind Palmer as president. The council during Anthony Palmer's incumbency succeeded in getting itself into several complex constitutional questions. At first, they moved virgorously to initiate the hiring of pilots for the rivers in the colony. Soon the councillors discovered that they and Palmer as president lacked the power to sign any bill into law, and bills including revenue ones died for lack of the signature of a governor. Because the council had had been restricted from the legislative function in 1701, the president had never officially been given the right to sign legislation into law. From this time, the councillors started pressing the Penns to appoint

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[30]Davidson, War Comes to Quaker Pennsylvania, 25-26. Thayer, Pennsylvania Politics and the Rise of Democracy, 1740-1776, 18-19. Keith, Chronicles of Pennsylvania, II, 855-57. In his book, Keith, though a year off in his dates, gives a good account of what occurred at the election day riot of 1742.

another governor.

The real crisis arose when England went to war again in 1748. Once again the province was judged defenseless. However, on this occasion, Benjamin Franklin presented his plan for an informal militia, the associators. For commanders of the military force, Abraham Taylor (1741-50) and Thomas Lawrence, were made colonel and lieutenant-colonel respectively. The council even went further when they suggested that sailors hired to man the defense ships chartered by the council be given a bonus for service. When news of these actions reached England, the Penns expressed great concern at the independent action of the council which the proprietors felt was contrary to the right of the King to be the sole authority in the issuing of commissions. The council, notwithstanding the proprietors' concern, reaffirmed their beliefs that they had only acted within the constitution. Once again a colonial council demonstrated that when pressed they were capable of self-government. Fortunately, the constitutionality of their actions was never challenged nor did the associators ever fight a battle.[31]

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[31]Tolles, James Logan and the Culture of Provincial America, 150, 157. Davidson, War Comes to Quaker Pennsylvania, 51-63. July 13, 1747, MPC, V, 90-91. Keith, Chronicles of Pennsylvania, II, 902.

From the time of Thomas becoming governor through the governorships of James Hamilton who was the governor from 1748 to 1754 and Robert Hunter Morris, who served as governor from 1754 to 1756, the council and the appointed executive worked smoothly together. Hamilton was the first American to serve as governor of Pennsylvania and he was also firmly entrenched in the proprietary faction which had been carefully nutured by the proprietors and Governor Thomas. Through the latter two administrations mentioned above, the council was the central unit of the proprietary faction and so its members supported the governor in the controversies with the lower house over the proprietary rights, paper money, and war preparations for the French and Indian War.[32]

The friendly relations between the council and most of the governors between 1726 and 1763 strengthened the political stand of the councillors. Before 1726 as we have seen the councillors worked to assert their own rights and after 1726, they were aided in this acquisition of power, both visible and invisible, by the proprietary instructions and the direct aid of the governors. This cordial working arrangement transformed the council from strictly an advisory

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[32]Thayer, Pennsylvania Politics and the Growth of Democracy, 1740-1776, 23, 25-29, 35-88. Richard and Thomas Penn to Hamilton, March 25, 1753, in Gratz Collection Governors of Pennsylvania, HSP. Warden, "The Proprietary Group in Pennsylvania, 1754-1769," W&M (3), XXI, 374, 381.

group to a viable, functioning political faction which the assembly finally tried to break in 1758 in effect by bribing Governor George Denny to support it. In this instance, Thomas Penn had written in 1758 that "if the Governor and Council are not the planners of operations, to whom only the King's order comes, I think the government is dissolved."[33] This relationship broke down when the Assembly bribed the governor with the salary appropriation to split the council and governor. According to Benjamin Chew (1755-75), Denny had been bribed by the assembly to support the taxation of the proprietary lands.[34] Chew was so irate about Denny's actions that he wrote to Thomas Penn that "The Conduct of the present Governor is so very wild & extravagant. . . . I have no better opinion of his Principles than his Abilities for government. . . ."[35] In this exchange, the power which the council had garnered is obvious.

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[33] Quoted in Wainwright, "Governor William Denny," PMHB, LXXXI, 196.

[34] Ibid., 192.

[35] Benjamin Chew to Mr. Penn, June 18, 1758, Cliveden Papers, in transcript at National Historical Park, Philadelphia.

C. INTERNAL CHANGES, 1701-1763

While the council was gaining power through assertion and aid from the governor and proprietors, it was also going through an internal transformation. The council which Penn had appointed in 1701 was predominantly Quaker and merchant oriented. By 1763, the men were Anglicans and many of them were lawyers. This shift demonstrates the changes in the council. In 1701, Penn appointed a council consisting entirely of Quaker members although prior to his arrival some Anglicans had been councillors. For the next twenty-seven years, Quaker merchants dominated the council. But in the 1720's, Keith initiated a policy which had been stimulated by Hannah Penn to balance the number of Quakers and Anglicans on the council. By 1728, the religious affiliation of the council started to shift as more and more Anglicans became prominent. From this date on, at least a working majority of the council was in the hands of Anglicans and those Quakers appointed after this time with the exception of William Logan were essentially pro-defense and pro-proprietary. With the proprietor Richard Penn becoming an Anglican in the 1730's, with Anthony Palmer, an Anglican becoming president of the council and Richard Peters, an Anglican, minister, becoming provincial secretary in the 1740's, the council and much of the leadership of the

proprietary faction had become supporters of the Church of England.

Another transformation occurred in the development of family ties. One of the most important relationships was Richard Hill (1704-29), and his son-in-law Isaac Norris (1708-35), who was associated in business with William Trent (1703-22).[36] Through much of the first sixty years of the eighteenth century, there were seven men related to the Penn family including three Penns, three Asshetons, and Lynford Lardner. Further the Hamiltons, Allens, and Penns also intermarried. By the 1750's, at least seven of the councillors were related by marriage including Chew and Joseph Turner, Lynford Lardner, and Thomas Lawrence.

Because of the religious involvement, the family connections, the growing business combines which will be discussed later, as well as the continuing acquisition of power by the 1750's, the councillors had made the council the heart of the proprietary faction. This group was led by Benjamin Chew, William Allen, the Supreme Court Chief Justice, Richard Peters, James Hamilton, and others. As Warden pointed out, with Penn controlling the powers of patronage, the council "acted as a local board of directors

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[36]Tolles, Counting House and Meeting House, 141-46.

for the special interests of both Thomas Penn and of the other members of the Proprietary factions."[37] The twenty councillors in office from 1753 to 1763 held more than forty-four offices on the colonial, city, and county levels. As a result of these offices plus the ties to the proprietor and easy access to land, many of the councillors reaped the benefits of office by the accumulation of large estates.[38] In return, the proprietors expected support as is indicated by the letter written to Peters in 1764. The Penns wrote:

> With regard to Tax and other Bills the governor must not pass them as they encroach on the rights of Government, if such things are suffered the Constitution will be changed to a perfect Democracy, which must not be: the most considerable members of both Houses, must sense the democratical spirit that Actuates our Assembly. . . . Mr. Chew has I find acted a very propper part and has induced every person that we had dependence upon [to accept our view]. . . .[39]

With all of these relationships and the proprietors trying to make use of them, the establishment and maintenance of a proprietary clique was fairly easy.

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[37] Warden, "The Proprietary Group in Pennsylvania, 1754-1769," W&M (3), XXI, 371.

[38] Ibid., 391-93, Tolles, James Logan and the Culture of Provincial America, 158.

[39] Thomas Penn to Richard Peters, Feb. 15, 1764, in Gratz Collection, Governors of Pennsylvania, HSP.

D. THE COUNCIL VS. THE ASSEMBLY, 1701-1763

Finally the fourth area of involvement after 1701 was between the council and the assembly. While there was an overall cordial relationship between the councillors and the governors after 1726, such was not the case with the relationship between the council and the assembly. From 1701 on, the council was in fairly consistent dispute with the lower house. In many instances, it almost appears that the assembly kept forcing their prerogatives in order to demonstrate their power. There was a strong personal clash between David Lloyd, the ex-councillor and speaker, and James Logan. There would be a similar personality clash many years later between the Benjamins, Chew and Franklin.

The curious fact about this conflict is that it existed despite fairly close contact between the council and the lower house. Particularly in the first twenty years of the eighteenth century, many of the councillors sat in the assembly until the election of 1721, when through a combination of factors including the hostility of Keith, the decline of the Quakers, and poor economic times resulted in most of the Quaker councillors being voted out of the lower house.[40]

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[40]Lokken, David Lloyd, Colonial Lawmaker, 159-60. For a full explanation of this dual membership, see Chapter VI.

However, until that day, a good number of the Quaker councillors served in both groups. A good demonstration of this is found in the minutes for the council meeting of October 16, 1712. On the day before, Isaac Norris has been presented as speaker and then on the morning of the 16th, councillors Richard Hill, Caleb Pussey, Jonathan Dickinson, and several assemblymen representing the lower house presented the assembly's address to the governor in council. That afternoon all four of the councillor-assemblymen were sitting at the council table discussing the business of the assembly for that day. The idea of conflict of interest was not present at that time.[41]

In the first twenty-three years of the new century, five councillors served fifteen years as speaker of the lower house. At the election defeat of 1721, five councillors were voted out in part over the discontent created by the hard times in the colony. The councillors never recovered their elective positions in the assembly, although as an inactive councillor as Andrew Hamilton served as a member and speaker of the assembly during the 1730's. Representation in the assembly of the lower counties was not quite the same. For years, even as late as 1756, there was an occasional councillor serving as an assemblyman or speaker in the

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[41]Oct. 16, 1712, MPC, II, 556-61.

lower counties. William Till (1741-60) served for years in this house and Chew was elected speaker in 1756. There was at least some informal working relationship between the council and the assembly because of dual membership in both the assemblies of Pennsylvania and the lower counties.[42]

Regardless of the simulaneous membership in the two houses, the disputes between the two bodies were disruptive to the entire province. Since prior to 1701 the council had been the dominant factor in the passage of a bill, the assemblymen suspected the continuing influence of the council after 1701. Though the charter of 1701 did not give the council the right to veto a bill, the proprietary instructions did stipulate that the lieutenant-governor was not to sign a bill without the council's approval. In 1704, the council tried to amend a house bill by adding "That the Governor shall not pass any Bill or Bills proposed by the Assembly into Law but at the Council Board & a Quorum of the Council being present."[43] Two years later in its annual message to the governor, the assembly responded to similar ideas by stating:

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[42]J. Thomas Scharf and Thomas Westcott, History of Philadelphia, 1609-1884 (3 vols., Philadelphia, 1884), III, 1765. Keith, Chronicles of Pennsylvania, II, 655. Tolles, James Logan and The Culture of Provincial America, 179.

[43]August 6, 1704, Amendment of Governor and Council in Mss. Minutes of the Council, HSP.

> It is the Opinion of this House . . . that though the Governor may advise with what Council he pleases, yet it is not Warrantable from that to infer that such Council should therefore have the like authority as Councils in Governments, immediately under the Crown. . . .[44]

Though bickering on this point continued, the council held its position with the aid of the proprietary instructions that it did have the right to advise, to amend, and in effect to veto.

Since the assembly tacitly accepted this point, further dispute developed over the petty procedures of a joint meeting of the two groups. On February 5, 1707, the assembly met at the request of the governor and council in joint session at Shippen's house. At this meeting, the pettiness of the dispute was amply shown. As a custom the councillors always stood when speaking. On this occasion, David Lloyd refused to stand when he was to speak. As a result, an impasse occurred because the councillors would not permit the continuation of the meeting until Lloyd stood to speak and he would not comply. For several days the two groups fought over this trivial point.[45]

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[44]Nov. 29, 1706, ibid.

[45]February 5, 1706/07, ibid.

For the next four years, the council and the assembly were in opposition over the impeachment of James Logan. Starting in late November, 1706, the assembly tried to impeach Logan. The crux of the charges was that he was upholding proprietary interests at the expense of the powers of the lower house, and that he was further trying to make the council supreme. Although with conferences extended over several years, no trial ever occurred because the assembly would not stand for the council trying Logan. Finally Penn wrote in 1710 that it was "Melancholy" that Logan was to be tried for serving the proprietor. With the proprietor personally interfering and Logan leaving for England, the case died for lack of any decision. After ten years of infighting over privileges and prerogatives, an uneasy truce transpired. For the remainder of the colonial period, the assembly accepted the right of the council to advise and no longer attempted to control the membership of the upper house.[46]

With the solution of these constitutional and institutional difficulties, particular issues became the major

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[46]November 29, 1706; March 4, 1706/07; May 13, 1707, ibid. Logan to Gookin, May 7, 1709, in James Logan Papers, Documents of Provincial Council, Vol. IV, HSP. James Logan to Assembly, November 21, 1709, ibid. William Penn to Friends, June 4, 1710, Gratz Collection, Governors of Pennsylvania, HSP.

problems which divided the council and the assembly. Defense, paper money, proprietary rights, and religion were the four major divisive difficulties. These questions nagged the colony of Pennsylvania for most of its existence. Since the Quakers were by nature pacifistic, the idea of war was repugnant to them. The first sixty years of the eighteenth century were particularly difficult in this respect because England was engaged in wars affecting the colonies on five different occasions. When England was at war, English leaders demanded support from the colonies. Pennsylvania was in a particularly vulnerable situation because of its dependence on sea trade and its western territory.

Notwithstanding the many Quakers on the council, the councillors were usually more realistic and supported the war efforts. Thus a group of councillors tried to influence the assemblymen in 1709, and Logan made an attempt to sway the Friends annual meeting in 1741. On the night of June 7, 1709, the Quaker councillors, Edward Shippen, Joseph Growden, Samuel Carpenter, Caleb Pussey, James Logan, Richard Hill, and Isaac Norris gathered with several of the prominent assemblymen at Carpenter's house. Although opposed to the war, they realized that the assembly had to take some action for the defense of the colony. These men decided not to participate formally but to grant money for the Queen's use.

Through this ruse, the Quaker leaders were able to support their religion and the defense of their colony at the same time.[47] In this instance, the Quaker councillors proved their awareness of their obligations to the government as well as their authority in informal meetings with assemblymen. Obviously from this example, the councillors had not really lost their power. The problem of defense has been thoroughly explained by R. L. D. Davidson in his book entitled War Comes to Quaker Pennsylvania. Suffice it to say here that the usual breakdown was the council in favor of defense preparations and the assembly opposed.

Paper money was the next issue which caused much concern. From the 1720's intermittently to the 1760's, various schemes were put into effect. A majority of the councillors, as merchants or creditors and definitely united with the economic stratum which would be adversely affected by the emission of paper money, were opposed to these measures while the assembly was usually in favor. Two of the best-known flareups were in the 1720's when James Logan and Sir William Keith got into a pamphlet war and again in the early 1750's when the crisis over paper money adversely affected Hamilton's

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[47]Keith, Chronicles of Pennsylvania, II, 489; Davidson, War Comes to Quaker Pennsylvania, 18.

governorship. This crisis in particular demonstrates the divergence of thought between the two groups on this issue, with the assembly usually being victorious.[48]

The third continuing conflict concerned proprietary interests. From the attacks on Logan through the attempt to tax the proprietary lands, and ending with the attempt after 1755 to make Pennsylvania a royal colony, the assembly put intermittent pressure on the council as the local organ and the personal defenders of the proprietors. Usually the proprietors rewarded this support by tying the men more firmly to the proprietary interests by grants of land and sinecures.[49] In November, 1758, at the height of the controversy over taxation of proprietary land, the two proprietors, Thomas and Richard Penn, wrote the Council:

> Mr. Peters would inform you how sensible we were of the Services you rendered to our Country and to us, and to return you our acknowledgements and thanks for the same, however we were now willing ourselves to repeat the same to you and to assure you of our Regard and readiness on all occasions to acknowledge these great Services.[50]

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[48]Keith, Chronicles of Pennsylvania, I, 666-70. Thayer, Pennsylvania Politics and the Growth of Democracy, 1740-1776, 26-27.

[49]Warden, "The Proprietary Group in Pennsylvania, 1754-1769," W&M (3), XXI, 383-84.

[50]Penn to the Council, November 10, 1758, Gratz Collection, Letters of the Governors, HSP.

Indeed, without the councillors' efforts, the proprietors would have lost most of their prerogatives if not all of their lands.

The final problem was religious. Though many of the councillors were Quakers, they were of a different type than those in the assembly. Those who were councillors sacrificed their beliefs more readily to the realistic approach needed in governing the country. From the 1730's on, moreover, the council became increasingly Anglican, and with the arrival of Peters, the secretaryship also passed into the hands of an Anglican minister. By the 1750's the religious split between the two groups was almost complete.[51] The extent of the division is clearly shown in a letter of Richard Peters to Thomas Penn in 1756. In this letter, Peters explained that William Allen and his friends were making a serious attempt to elect men to the assembly who were friends of the proprietary interest. Peters concluded that "The Quaker plot is, as I imagine, to shew the Ministry that it is not the Society of Quakers but the Proprietary Instructions that obstruct the King's business."[52] Thus the religious split coupled with proprietary privileges

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[51]Thayer, Pennsylvania Politics and the Growth of Democracy, 1740-1776, 13. Warden, "The Proprietary Group in Pennsylvania, 1754-1769," W&M (3), XXI, 375.

[52]Peters to Thomas Penn, Oct. 8, 1756, in PMHB, XXXI, 246-47.

was a continuing source of conflicts between the council and the assembly for more than sixty years.

The council in Pennsylvania has a more unique history than the one in Virginia which followed basically the royal pattern. Moving from a position of almost complete constitutional power to one which lacked almost all constitutional power, the councillors maintained their position through numerous informal connections and regained in practice a considerable part of the influence they had lost in theory. Further, the Pennsylvania councillors achieved perhaps more complete involvement in the total life of the colony because they were not banned from any other position because of a seat at the board. In this way, a single councillor could hold more important offices simultaneously than his counterpart in Virginia.

However, as in Virginia, the councillors of Pennsylvania faced frequent pressure from both the executive and popular branches of government. At times, they faced a dominant governor like Keith or Markham, and at other times, they had to contend with a recalcitrant assembly. Despite these pressures, the councillors after 1701 followed a path which brought them personal advantages and strengthened their positions in the colony. When the time came in 1736 and 1746, they proved that they were capable of effective leadership in the absence of a governor.

Finally, the council in Pennsylvania was unique because of its ties to the proprietary. Almost all of the proprietors bound the councillors to themselves by contributing to their personal advancement by gifts of jobs and grants of land. Unlike the situation in Virginia where the councillors were part of the royal structure, the Pennsylvania councillors were part of a family's private staff. When necessary, they were not afraid to castigate royal officials such as Robert Quary. Thus in many respects, this council was different, but in the end the members of it were men who used their position and formal connections for their own and their families' advancement as well as becoming thoroughly involved in the life of the colony and helping to determine its course.

Chapter III

APPOINTMENT TO THE COUNCIL

1660-1776

In 1679, the Royal instructions to the governor of Virginia stated that in his nomination of councillors he should select "men of GOOD life and well affected to our government, and of good estates and abilities and not necessitous persons OR MUCH IN DEBT." After the turmoil of the 1670's, the instructions for Virginia councillors were changed in 1683 to include the statement "that they be persons well affected to our government." Then in 1702 perhaps reflecting the financial condition of some of the prospective councillors, the clause "OR MUCH IN DEBT" was deleted. Finally in 1756, the wording was again changed so that it read men of "good life, well affected to our government and of abilities suitable to their employments."[1] This was the basis on which royal governors in Virginia were to select councillors. During the brief Royal interregum in Pennsylvania from 1692 to 1694, Benjamin Fletcher was instructed to select councillors from among the "principal freeholders."[2] During the early proprietorship of William Penn, he had directed that councillors should be men "most for their virtue, wisdom, and ability."[3]

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[1]Labaree, Royal Instructions to British Colonial Governors, I, 55-6.

[2]Ibid., 28.

[3]The Frame of Government of 1683, MPC, I, 42.

From this standard established by either the royal authority or the proprietor, the governors of the colony selected men to be nominated for a councillorship. Nicholson amplified his instructions when he selected men who were noted inhabitants, planters of the best estates, and holders of previous governmental positions.[4] Further these new councillors were usually held in high esteem as William Byrd II indicated when he wrote concerning William Randolph (1728-42) that "He will become that station . . . ."[5] These ideals were maintained in instructions to governors for the entire period. Yet the reality was somewhat different because other factors were taken into consideration. In Pennsylvania, councillors' were usually elected prior to 1701 and then recruited by the governor during the eighteenth century. In Virginia, the average new councillor usually had inherited a family name, land, and had served in the government which were the elements named by Nicholson so other considerations such as reputation, influence and support of the governor were perhaps more relevant to the selection of a councillor in that colony.

In Virginia, a governor submitted an annual report to the Board of Trade, and in this statement he suggested the names of twelve men whom he felt were qualified to fill the

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[4]English Duplicates of Lost Virginia Records. Compiled by Louis des Cognets, Jr. (Princeton, 1958), 240.

[5]William Byrd to Ned Randolph, July 27, 1728, in VMHB, XXXVI, 41-2.

vacancies on the council. The conclusion of the appointment process was the recommendation by the Board of Trade to the King and the issuance of a commission under the King's Sign Manual. This commission was then sent to the person named who presented it to the governor and was then sworn in.[6]

It is interesting to note, when reading these lists, the men who were nominated but never appointed. In 1731, Gooch submitted his list containing the names of an Armistead, a Willis, a Fitzhugh, a Meriweather, a Churchill, a Carter, and a Bassett. Although all but one were related in some way to former councillors, none was ever appointed.[7] Because of these discrepancies, it is obvious that other influences were brought into play to secure a nomination. In the list of councillors for 1706-1711, a notation was made next to the name of Edward Hill that he had been nominated by the Bishop of London.

In Pennsylvania after 1701, the governor had the right to recruit men to be considered by the rest of the council for approval. Upon confirmation of the governor's list by the rest of the council, the men selected were sworn in. It should be noted that the Pennsylvania councillors always approved the governor's list.

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[6]List of Present Councillors, 1706-1711, in British Museum Additional Manuscripts, #7, Add. 15483, VCRM.

[7]Labaree, Royal Instructions to British Colonial Governors, I, 55-6. Gooch to Lords of Trade, Dec. 22, 1731, in British Transcripts in Library of Congress, 279.

Though this was the constitutional process, in actual fact both the governors of Virginia and Pennsylvania followed a different course in the selection of a councillor. The Virginia governors had the right to appoint a councillor to restore the council to a working body of nine. The Pennsylvania governor after 1701 simply appointed a man to the council with the approval of the other councillors and then submitted the name for final approval to the proprietors in England. Usually both the local council and either the Lords of Trade or the proprietors approved. There were times, however, when a man was appointed but his name was later omitted by the Lords of Trade. Thus Dudley Digges, appointed by Andros in 1698 and left off the new commission in 1699 to Nicholson, was restored to his old position in Nott's instructions of 1705.[8]

Occasionally the situation varied from this pattern. In 1680, the Virginia councillors asked Lord Culpeper to restore Edward Hill II, and a year later they made a similar request concerning Philip Ludwell I.[9] Another disruption was caused by a disagreement between the Board of Trade and the governor. In 1730, Gooch blocked the appointment of Thomas Corbin to the council. Because of his opposition to Corbin

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[8]May 22, 1683, EJCV, I, 44. English Duplicates of Lost Virginia Records, compiled by des Cognets, 243.

[9]June 7, 1680; June 23, 1680; EJCV, I, 2-3. "Philip Ludwell's Account," in VMHB, I, 176.

and because Corbin had English influence, Gooch had to explain that

> his[Corbin's] Advancement to the Station proposed for him will be very shocking and Disagreeable to the Gentlemen; of the Colony; his temper is observed to be very Unsociable; he is a Person of no Interest among the People;[and] his private Affairs are greatly perplexed.

Furthermore, he came from an area of Virginia where many of the councillors then lived.[10]

The selection of a councillor was simple in theory and complex in practice, and many influences were operative on both sides of the Atlantic. Because there were so many factors at work in the selection of a councillor, the most important ones will be summarized and discussed.

REASONS FOR APPOINTMENT[11]

Major Influences on Appointment	Virginia	Pennsylvania Pre 1701	Pennsylvania Post 1701
Continuation from before 1660	18	0	0
Election	0	70	0
Family Connection	48	0	22
Geographic	7	0	2
Governor's Appointment	5	11	0
Use of English Influence	12	0	0

[10]Gooch to Lords of Trade, June 9, 1730, Gooch Transcripts, VHS, 148-9.

[11]All information included on the chart is found in Appendix A. On the unknowns, obviously some were selected for personal reasons and ability as well as those given on the chart. Also some of the reasons have become too obscure in the passage of time to note. In all instances, the major reason is recorded once and usually a prospective councillor combined two or more of the categories indicated on the chart to receive appointment.

REASONS FOR APPOINTMENT (continued)

Major Influences on Appointment	Virginia	Pennsylvania Pre 1701	Pennsylvania Post 1701
Office Holding	20	0	16
Support of Governor	4	0	0
Legal Ability	0	0	4
Original Council	0	14	0
Unknown	30	0	10
Totals	144	95	54

As can be seen from the chart, a majority of the Pennsylvania councillors were elected. This statement is somewhat deceiving because election was used during less than ten per cent of the total period. The only elected Virginians were the holdovers from the commonwealth period who continued to serve after the restoration of royal authority in 1660. Several of the progenitors of the most prominent Virginia councillor families started their careers during the Commonwealth period from 1652 to 1660 including the Lees, Carters, Warners, Digges, and others. Further the figures are deceiving because many of these councillors were recommissioned to serve the royal governor. Thus election to the Virginia council was not really a factor in determining appointments over a long period.

Such was not the case in Pennsylvania. At least seventy men were elected to the Pennsylvania council in the first twenty years. Penn had ordained that the freemen of Pennsylvania should be represented in the council by three men from each county to the total of eighteen. The process was so designed that one-third of the membership was to be elected each year for a three-year term. Also one man could not serve more than two terms in

succession. By this means, a constant turnover in office was in effect.[12]

Notwithstanding the right of election being given to the freeholders, the councillors assumed the old English right of judging their own membership. Because of various grievances against newly elected members, the Pennsylvania councillors questioned the wisdom of seating Thomas Clifton (1690) for saying "God Damn," Luke Watson (1684-93) for illicit relationships, Samuel Richardson (1688-9, 1694-6) for misdemeaning himself in council meeting, and John Eckley for stuffing a ballot box. In spite of these problems and the disrupting changes in government made by Fletcher, Markham, and Penn, the elective council functioned as the governing body of Pennsylvania for about fifteen years of the first two decades. It was the first time in the colonies that a popularly elected upper house was so completely in control. Because of the elective factor, the men who served in the council during this period were not as closely bound to the proprietor as those appointed later.[13]

Though there is little evidence concerning the mechanics of the elective process, it is known that the allegiance of those elected were a concern to the leaders of the colony. In 1687, Pemberton wrote to Penn that "A. Cook was this yeare chosen of The Council . . . . A true substantial member cordial to Thee and

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[12]The Frame of Government of 1683, MPC, I, 42-3.

[13]April 1, 1689; March 31, 1690, MPC, I, 268; 323.

the government."[14]

This elective council had some curious effects upon the history of Pennsylvania. For years, some men alternated between the upper and lower house. In fact the membership of the two houses became hopelessly intertwined. For example, in Newcastle County between 1683 and 1700, twelve of the thirteen men who served on the council sat in the lower house too.[15] Similar patterns developed in the other counties. With the disappearance of the elective house in Penn's third charter, the council of Pennsylvania assumed a more stable appearance. A Pennsylvania councillor served an average of three years before 1701 and more than fourteen years after the change in government. Thus the elective council had a certain disruptive influence and yet opened the door for a few to monopolize political power in Pennsylvania.

The periods of elective councils in both Pennsylvania and Virginia established the foundations for the development of family relationships as the second most important route to membership on the council. The entangling cousinhood in Virginia has been described on several occasions but the one in Pennsylvania, though not as well developed, also played an active role. Even during the periods of election, several families proved their ability to win seats. The Richardson family, the Turners,

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[14]Pemberton to William Penn, April 3, 1687, Pemberton Papers, HSP.

[15]Henry C. Conrad, History of the State of Delaware (3 vols., Wilmington, 1908), I, 263, 271.

the Finneys, and the Cliftons all had two or more councillors. In Virginia, only the Carter family had two elected during the Commonwealth period. From this beginning, family dynasties, either direct father-son relationships or married connections, continued the family name.

Virginia, of course, was the scene of the great family dynasties. The Lees, whose first representative Richard I (1651-64) was elected, had four generations of their family on the council concluding with Philip Ludwell Lee who died as the Revolution started. So also did the Carters who had five councillors in four generations with the last dying long after the Revolution had been concluded.

Though the Pennsylvania hierarchy was not so well developed, there were still families which furnished councillors by the elective process and members of the family who continued in office after that. Thus Edward Shippen was elected in 1696 and his grandson served in the Pennsylvania government until long after the Revolution. Also the Growden family in two generations had representatives who served on the council for more than sixty years. Besides these two families, there were several Turners and several Owens, although in some instances the family ties were not quite clear enough to establish the exact connection.

Though there were these elements of direct family relationship from father to son, other combinations of family involvement such as marriage played a role too in the interweaving

of the membership of the council. Since families in both colonies were usually large and some of the women married more than one councillor, the marriage ties are extremely important. Thus William Byrd I inherited much of his position from his uncle Thomas Stegg (1664-70) and his son William Byrd, the younger, took over the property holdings of Daniel Parke II. The most famous family group in Virginia was the Ludwell family which Spotswood objected to so much. Equally numerous were the in-laws and relations of Thomas Lee and Nathaniel Harrison.[16]

Of all the Pennsylvania family connections, by either direct descent or intermarriage, the Penn family was the most important. Through the years, ten men connected with the Penns served as councillors. After 1701, when only a total of fifty-five men served until the Revolution, at least eight were directly connected to the proprietary family. Three Penns spent time on the council as well as three Asshetons. Always when a Penn served on the council he was given by vote of the other councillors the senior position at the board. Besides these men two other in-laws, Lynford Lardner (1755-74) and Andrew Allen, were both prominent. Before 1701, Markham and Harrison, both cousins of Penn, had served too.[17]

Of all the members of the Penn family on the council, the appointment of the Asshetons deserves some additional attention. In 1719, Keith had suspended Robert Assheton, the first

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[16]See Appendix A, and Chapters IV and VIII. Morton, Robert Carter of Nomini Hall, 3-30.

[17]See Appendix A. Wainwright (ed.), "Sketch of Lynford Lardner," PMHB, LXXXVII, 97-100.

councillor from that family appointed in 1711 and Recorder of Philadelphia who was a distant relative of the Penns, from the council because he had supposedly revealed the transactions of the council to the public. But later Keith needed the Asshetons' help, and so in 1722, he wrote to both Robert and his son William (1722-3), the Judge of the Vice-Admiralty Court. To the former Keith wrote

> There being no person here that I know of, who is vested with any sufficient or Authentick Powers to take charge of the Proprietors Interests & Estates in this Province, and I being desirous to have the Vacancies at the Council Board filled up with such as are related to the Proprietors Family, in order to give me their best advice on all occasions where that Interest happens to be concerned; [To the latter, Keith wrote], your near Relation to the Honorable Proprietors Family, and the Observations which I have made of your merit and skill in the Knowledge of the Laws, do sufficently recommend you to me as a very fit person to Assist me in the Council of their Province . . . .[18]

Thus family connection aided the Assheton family in being re-established on the council until 1746.

Though it is obvious that there were family connections from just looking at the list of councillors, the fact that family connection was used in the recommendation is even more significant. Colonel Spotswood wrote in 1713 after Benjamin Harrison had died that,

> I beg leave to recommend to your Lordships' favor Mr. Nathaniel Harrison, to be added to ye Council as ye fittest person to supply the present vacancy made by the Death of his father. This Gent. is,

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[18]Sir William Keith to Robert Assheton; Keith to William Assheton, May 18, 1722, PA, (4), I, 388-9.

> (as far as I have been able to observe,) a person of Loyal and honest principles, of good sence and of a plentiful Estate, which are qualifications not to be neglected in a country where such do not often concurr in one person . . . .[19]

Fourteen years later when Nathaniel died, Gooch wrote to the Board of Trade that "for the last Vacancy there are Interests made to Mr. Walpole, from Col. Hen. Harrison [1730-7]& Mr. John Blair . . . I would recommend . . . the same Gentelman's Brother . . . ."[20]

The idea of multiple family connection was even used in several instances. When Mann Page was appointed by Spotswood, the governor described his most recent appointee by stating he is "a young gentleman of a liberal education, good parts, and a very plentiful Estate, and whose father and Grandfather both had the honor of the same post."[21] Hugh Drysdale also used the same argument concerning John Custis III whom he recommended because he had "a great estate . . . [and his] Ancestors have been of the Council."[22]

A governor usually appointed a man to the council because he had a good estate, ability, had served in previous governmental positions and was friendly to the governors

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[19]Spotswood to Lord Commissioners of Trade, Nov. 16, 1713, Letters of Spotswood, II, 40-1.

[20]Gooch to Lords of Trade, Oct. 13, 1727, Gooch Transcripts, VHS, 26.

[21]Spotswood to Lord Commissioners of Trade, March 13, 1713, Letters of Spotswood, II, 58-9.

[22]English Duplicates of Lost Virginia Records, compiled by des Cognets, 259.

position. Since these qualifications were used as the basic guidelines, it becomes obvious why so many family dynasties were established in Virginia. As a councillor's son, a young man automatically trained to serve in some public office and soon after reaching his majority he received a minor government post or a burgess seat. When his father died, he probably inherited a large estate. Thus a son inherited two of the three main requirements from his father. If he had ability, he was usually on the governor's approved list after the age of thirty. In this way, membership in the council did become almost hereditary because a father got his son started in a government position and usually willed him enough land to qualify for it.[23]

In spite of the continuing family relationships and the fact that governors used the idea of such connections as a key recommendation, there were several examples of that strong opposition which was initiated against the interlocking families. The initiator of one of these diatribes was Spotswood who was followed by Drysdale to a lesser extent. Around 1715, it was a virtue for a prospective councillor not to be related to the Burwells. Spotswood explained in regard to appointments that

> the greater part of the present Council are related to the Family of the Burwells, And as there are sundry other Gent. of the same Family whose qualifications may entitle them to be of the Council, if they

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[23]Charles S. Sydnor, Gentlemen Freeholders (Chapel Hill, 1952), 61-4.

> also should be admitted upon the said private recommendations as Mr. Berkeley hath been, the whole Council would, in a short time, be of one kindred. As it is now, if Mr. Bassett and Mr. Berkeley should take their places there will be no less than seven so near related.[24]

Drysdale also wrote his recommendations that John Custis III "is little allyed to any of the present Councillors," and James Jones "has no affinity to any among the Council."[25] This fear of large family combines halted only a few appointments and soon even Drysdale was recommending the appointment of John Carter II, son of King Carter, so that the two would be serving at the same time. Of course, John Carter was the logical choice because he was the newly appointed secretary. It should be noted that no place in the surviving documents of Pennsylvania is such a fear expressed or does there really seem to be any need for it to have existed because the Pennsylvania councillors never had that many relations serving simaltaneously.

Family connections often led to the appointment of sons to prominent jobs in the colonial governmental hierarchy. In both Pennsylvania and Virginia, the holding of a particular office with or without family connections preceded appointment to the council. In Pennsylvania, service as a provincial and proprietary secretary, a land office commissioner, Keeper of the Seal, or Attorney General was a key to appointment. The

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[24]Spotswood to Lord Commissioners of Trade, March 9, 1713, Letters of Spotswood, II, 60.

[25]English Duplicates of Lost Virginia Records, compiled by des Cognets, 259.

Virginia Council had three positions, that of commissary, secretary of the colony, and the surveyor-general of the Southern District, the holders of which were almost automatically and immediately guaranteed a future place on the council. Further, being appointed receiver-general, auditor-general, or agent for the Northern Neck usually guaranteed a position.

In this fashion, Logan became a councillor in Pennsylvania after being made both provincial and proprietary secretary, Andrew Hamilton was appointed after being made attorney-general, and John Carter II moved to the Virginia Council in 1724 two years after being made secretary. Five Pennsylvania councillors held the secretaryship for over fifty-five years, four held the position of Keeper of the Seal a total of more than seventy years, and three held the treasurership for sixty years. In almost all instances, the men were appointed to their official position before they were appointed to the council.

A similar situation developed in Virginia where the post of auditor-general was held by ten councillors for 112 years, that of receiver-general by six for 93 years, and that of secretary of state by eleven for 116 years. This, of course, subverts the point that councillors received these offices as a result of being on the council, because in many cases they were appointed to these lucrative positions before they became a councillor. Thus the councillorship was in this sense a culmination of government service, not an opening for some

men.[26]

The council of Virginia had two positions that almost always made the holder a councillor. With one exception commissary of the Anglican Church in Virginia always was a councillor. From the appointment of James Blair in 1689, the Bishop of London continued to have a representative in Virginia until the Revolution. Six men held this position and five were appointed to the council. One, Blair, lasted long enough to be president.[27]

The religious role of this position was usually played down and several conflicts occurred in the early years because of the clashes between Blair and the governors. Since the commissary was responsible to an outside authority, he was a thorn in the side of a governor who had a strong personality, because he always had influence in England through the power of the Bishop of London.

A second office which caused difficulty because the holder had outside influence was the post of deputy surveyor-general of customs. This man was responsible for the collection of the king's revenues. Usually he received a commission to be a councillor in three or four colonies. In Virginia,

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[26]Scharf and Westcott, History of Philadelphia, III, 1765-6. William and Mary Stanard, Colonial Virginia Register (Albany, 1902), 21-5.

[27]"Sketch of John Camm," W&M (1), XIX, 28-30. See Appendix A.

the first gentleman appointed was Robert Quary, who had acted in an obstreperous manner towards Penn. Quary served intermittently between 1703 and 1712. From 1712 until Richard Fitzwilliams was appointed in 1725, there was no surveyor-general on the council because Sir William Keith, who succeeded Quary, did not assume his councillor's chair. With the appointment of George Phenny, an ex-West Indian governor, a future complication arose. In the original instructions to Phenny, the royal commission contained the definition of councillor extraordinary and councillor ordinary. All surveyor-generals henceforth were to be appointed extraordinary which meant that they were to be the senior councillor without privilege of being president but were to act only in an advisory capacity without legislative or judicial function.[28]

These new instructions caused no problems with Phenny who was appointed councillor ordinary in Virginia. But in 1741, Dinwiddie presented new complications. Dinwiddie presented his credentials only as the new deputy surveyor-general with no commission to be a councillor. He demanded the right to be sworn as a councillor ordinary in June, 1741, but he was sworn only as a councillor extraordinary. He immediately protested and for more than two years the controversy continued. Finally in 1743, a royal commission was sent making him a councillor

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[28]June 11, 1735; Nov. 11, 1735, EJCV, IV, 355, 360, Labaree, Royal Instructions to British Colonial Governors, V, 31-2.

ordinary.[29] This controversy indicates the sacredness with which the councillors held their privileges for, without a formal commission, they would not seat Dinwiddie.

Since the holding of the position of commissary surveyor-general, auditor-general, receiver-general, secretary and land agent for the Northern Neck made a man almost always a councillor, the number of possible vacancies on the council was decreased. By having council seats relatively marked for a certain office and others being in the hands of families, the chance of a non-family connected man who did not hold one of these positions being made a Virginia councillor was very slight in the eighteenth century. In spite of the increasing population of Virginia, the number of seats open on the council was actually reduced. Because of this, both the burgesses in Virginia and, to a lesser extent for similar reasons, the assembly in Pennsylvania expanded and drew power at the expense of the council.

Another method of securing appointment to the council, practiced almost exclusively by Virginians was the use of English influence. Since Pennsylvania was in the hands of one family, outside influence meant almost nothing in regards to the securing of a councillor's commission. However, in Virginia exactly the opposite situation existed. Because a number of the future Virginia councillors went to England to complete their education, they had an opportunity to become acquainted

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[29] June 9, 1741; June 10, 1741; Oct. 15, 1741; April 15, 1743, ibid., V, 54, 70, 114.

with many prominent Englishmen. Further, many Virginians had excellent business connections in England. Finally some of the most important Virginians were related to cadet branches of prominent English families. Because of these factors, the use of English influence to obtain colonial appointments was practiced throughout the colonial period. In some of these instances, the colonial political situation was closely tied to politics in England.

Sir William Berkeley demonstrated several of these connections when he sought to obtain for Nathaniel Bacon, senior, the position of auditor-general. Berkeley wrote to his brother John asking him to lobby for Bacon's appointment because he was "a most worthy person and of a very good family in England."[30] Berkeley used his English connections to help a friend of his, but Bacon was also worthy of aiding because of his family connections.

Another channel of influence was through the various Anglican prelates of England. Of course, the Bishop of London had perhaps the most power because of his relationship to the commissary-councillor. Through this channel, information, protests, advice, and suggestions passed. Even though the Bishop of London was dominant, other church leaders were involved. This is indicated by the case of Edmund Jenings who was a recipient of the aid of John Sharp, the Archbishop of York. Jenings wrote a letter of appreciation to this prelate. In

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[30]Sir William Berkeley to John Berkeley, March 18, 1674/5 in VMHB, XVI, 199.

this communication, the president of the Virginia council expressed his feelings by writing

> Being made sencable of your Lordship's great Goodness and Kindness to my Brothers and relations, and that your Grace hath bin pleased to extend itt to mee tho soe remote & a Stranger & in soe perticular a Manner . . . honouring me with the place of Secretary of this Collony, I take this first Opportunity to return my exceeding thanks; and should be very proud that Fortune would give Occasion for your Graces command on mee that I might demonstrate my earnest desire of obeying . . . .[31]

In 1713 and 1714, the Bishop of London, John Robinson, was used by Spotswood to secure the appointment of both Christopher Robinson and John Robinson, relatives of the bishop, to the council. Christopher turned down the position because he would have to give up his Naval Officer's position and so Spotswood turned to the younger brother, John. In March, 1713, Spotswood wrote to the bishop, stating

> That a Vacancy happening in the Council here I am very desirous it should be supplied by one of your Lordship's Family . . . . I have now recommended . . . Mr. John Robinson, one whose qualifications for that Trust . . . are not inferior to any other in this Country. I should loath to loose him out of our House of Burgesses . . . were it not to give him an opportunity of Serving her Majestie in a more honorable Station . . . And that he may, with greater ese, support that Character I have reserved for him a Agency of considerable profit . . . . I'm also now contriving an employment for the younger brother . . . . It will be a particular satisfaction to me when by advancing the Interest of your Lordship's Relations here or any other occasion wherein you shall please to Command me.[32]

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[31]Jenings to John Sharp, June 15, 1702, in Alderman Library, Mss. #5977.

[32]Spotswood to John Robinson, Bishop of London, March 13, 1713, Letters of Spotswood, II, 64-5.

The first attempt did not succeed, and so Spotswood wrote again in January, 1715, stating: "I beg leave to remind your Lordship of getting Mr. John Robinson nominated of the Council, which I persuade my Self will not be refused to me of your Lordship's Family . . . ."[33] Robinson was finally appointed in 1720. The seven year interval between first mention and final appointment illustrates the slowness of cummunication and the many influences involved as well as the importance of family connections.

Councillors with influence in England had a diverse impact on the governors. Spotswood attempted to make use of English influence in his appointment of Robinson, and Drysdale supported William Dandridge who was a protege of the Duke of Montague. But, on the other hand, Gooch was impatient with Richard Fitzwilliams, the surveyor-general and a relative of Lord Fitzwilliams, because the governor believed that, through the use of his relative's influence, Fitzwilliams wished to become governor. Because of these pretensions, Gooch strongly opposed Fitzwilliams. A governor's reaction to the use of influence was varied and depended upon the individual situation but it was not caused by a dislike of the system itself.[34]

Another connection which was used at times was the old school tie. Both William Byrd II and Ralph Wormeley III (1771-6)

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[33]Same to same, Jan. 27, 1714/5, ibid., 91-2.

[34]William Gooch to his Brother, April 9, 1730, William Gooch Transcripts in VHS.

tried it with good results for the latter. William Byrd II, who was attempting to obtain an office with the assistance of Sir Robert Walpole, wrote to his old classmate, Lord Egmont, in 1736:

> Can nothing be done for an old Friend of 40 years acquaintance to help Him?
> I wish I could persuade you to take a little upon my account by speaking a good word for me to your Friend Sir Robert. I have now . . . served His Majesty as one of his Council full 30 years. And tis a little reasonable after being so long a Sharer in all the Trouble of the Government, to come at last to the Profit of it . . . .[35]

Unfortunately for Byrd, he did not succeed in his goal.

On the other hand, Ralph Wormeley III, a school friend of Charles James Fox, son of Henry Fox, Lord Holland, succeeded very well. As his father wrote, "Old Fox now Lord Holland is strongly in his Interest" for a collector's position in 1764.[36] Though the commission was originally made out to his father by mistake, Ralph Wormeley, junior, did get his position. Then Fox almost got Ralph Wormeley III the secretaryship in 1768 and finally succeeded in obtaining him a councillorship in 1771 at the age of twenty-seven.[37]

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[35]William Byrd to Lord Egmont, July 1736, in VMHB, XXXVI, 216-7.

[36]Ralph Wormeley, senior, to Landon Carter, March 9, 1764, in Sabine Hall Mss., Alderman Library.

[37]same to same, June 10, 1768, ibid. Fauquier to My Lords, Sept, 12, 1766, in W&M (1), XXI, 168-9. William Nelson to Samuel Athawes, William Nelson Letter Book, Alderman Mss.

This English influence continued almost until the American Revolution as Thomas Nelson, junior, thanked the Earl of Stamford for his appointment in 1773. Nelson was somewhat premature in his appreciation because the council vacancy went to John Page, junior (1773-6).[38]

Besides using prominent Englishmen, aid was also solicited from merchants and colonial agents in England. The interest of the merchants is understandable because not only were the councillors some of their best customers, but also certain councillors used their local influence to protect the merchants as in the case of the opposition to paper money in the 1760's. Once again it was Spotswood who first expressed fear of the "Merchants scheme (which I have seen,). . . to add to ye Council three more who are nearly related to many of the same Family of that Board."[39]

Spotswood again complained that

> I think it is doing little honor to the Government to have its Council appointed in the Virginia Coffee House, and I believe a Governor who has a power under the Great Seal to constitute and appoint Persons . . . until confirmed or removed by the Crown, has as good a title to name, and is[as]capable of Judging of the qualifications requisite for Persons in that as an Merchant in London who has no other Rule to

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[38]Thomas Nelson, Junior, to Earl of Stamford, July 21, 1773, in W&M (1), VII, 29.

[39]Spotswood to Lord Commissioners of Trade, Dec. 1, 1714, Letters of Spotswood, II, 78.

> judge of a man's merit than by the Number of his Tobacco hogsheads.[40]

Spotswood was right in his charge, although he usually chose a councillor by acreage rather than hogsheads.

During this conflict, Bassett wrote to Philip Ludwell II that "I showed you Mr. [Micajah] Perry's Letters where in he writt of the interest he was making with the Council of Trade for me to take place in the Council . . . ."[41] That merchant contacts were important is indicated by the fact that as distinguished a councillor as King Carter wrote to the same Mr. Perry to enlist his aid in securing John Carter II the position on the council in 1723.[42]

Besides m[illegible] colonial agents were also used in the later part of the colonial period. James Abercromby, long the agent for the Virginia council, was very influential in the securing of several appointments. In 1761, Robert Carter of Nomini wrote to his London factor, James Buchanan, to have him reimburse Abercromby the expenses incurred in helping Carter to

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[40]Spotswood to Colonel Blakiston, Dec. 1, 1717, ibid., 79. For a further indication of the merchant's authority in the 1730's and 1740's, see Micajah Perry to Duke of Newcastle, May 12, 1731, PROCO 5/1344, #6, VCRM. Perry had been "promised" the next Virginia Councillor and he wished to appoint John Tayloe I. For a full discussion of Gooch's concern over losing patronage, see Williams, "Political Alignments in Colonial Virginia," 273-9.

[41]William Bassett to Philip Ludwell, Sept. 22, 1713, in VMHB, XXIII, 359-60.

[42]Robert Carter to Micajah Perry, Oct. 17, 1723, in Diaries and Letters of Robert Carter, 1722-32, Mss. in Alderman Library.

obtain his councillor's chair. Fourteen years later on the eve of the Revolution, Abercromby secured the appointment of Gawin Corbin (1775-6) as the last colonial appointee to the royal council.[43]

The use of English influence in obtaining a councillor's seat demonstrates the interaction between colonial politics and what was going on in England. To obtain a position in Virginia during the eighteenth century, one needed influence, especially English influence. Whether it was an archbishop, an earl, or the ear of Walpole, the Virginia gentlemen used their connections. Blood relations, old school friends, merchants, and colonial agents were used to obtain that most honored place at the Board.

Notwithstanding the need for English approval or the use of English influence, the lieutenant-governor in both Pennsylvania and Virginia had authority to appoint councillors. Over half of the Pennsylvania councillors appointed in the eighteenth century were named by the governor subject to later approval. Though these men may have had the proper family connections or the proper English influence, in the end they still received their position from the governor. Because of this, despite the many problems which some of the governors had with their

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[43]Robert Carter II to James Buchanan, June 6, 1761, in Robert Carter Letterbook, Mss. on microfilm in Colonial Williamsburg Research Department. James Abercromby to Lord Dartmouth, Feb. 13, 1775, in VMHB, XIX, 309.

councillors, it was for the most part his council. This does not mean that the councillors pledged obedience to him. They only worked with him when their goals ran parallel to his.

Selection by the governor is particularly evident in Pennsylvania where the governor actively recruited councillors. After recruiting new men, the governor presented their names to the council for approval. On November 22, 1723, Keith

> proposed to the Board, (that in regard some late members of the Council being dead, others sick & some absent, and at a time when the Assembly was sitting, & when Business or Consequence might probably offer) that an addition be made to the number of members of Council, & named William Fishbourn [1723-31] & Josiah Rolfe [1723-5] as proper Persons to be called; To which Proposal the Board unanimously agreed.[44]

In most instances, the governor provided reasons for his appointments. Keith had indicated that too many councillors had died so he had to appoint several more. Particularly in the period of chaos of the proprietary family in the 1720's, the governor was practically acting independently. Keith attempted a blatant use of this power when he tried to have Francis Rawle made a councillor. Rawle, a cohort of Keith in the paper money crisis, was a political enemy of many of the councillors. Fortunately for the tranquility of the council, he refused the seat.[45]

Even thirty years later, the governor still appointed councillors almost at will. Morris, realizing that several of

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[44]Nov. 22, 1723, MPC, III, 237.

[45]May 5, 1724, ibid., III, 241.

his councillors including William Till, Lawrence Growden, and William Logan lived out of town, recommended to the council for their approbation "Benjamin Cohen [Chew], Esq., Attorney General, John Mifflin [1755-9], Esq., one of the Alderman of the City, & Dr. Thomas Cadwalader[1755-75]. . . ."[46] The council, of course, approved. The Pennsylvania Council never refused to approve the governor's choice although there are instances when a man selected refused to serve.

There were also a good number of minor factors that were operative in the appointment of a councillor. One of the most important was geographic location. In Pennsylvania, most of the councillors lived close to Philadelphia and, as has been seen in some of the preceding examples, the rural residence of some of the councillors hindered the operations of the council. Even Governor Berkeley in Virginia before Bacon's Rebellion complained of the lack of members living close to the capital. In 1745, Gooch lamented the lack of quality men living near Williamsburg. When he filed his annual report in that year, Gooch listed his councillors and how far they lived from the capital. Of the eleven councillors listed, two lived in the capital, three lived within twenty miles, one within thirty, four more within fifty, and one, William Fairfax, lived more than 150 miles away. Then Gooch listed the ten men whom he nominated for council vacancies. Five were older and more experienced, but Gooch noted that they "live some forty, fifty,

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[46]Nov. 2, 1755, ibid., VI, 666-7.

and Mr. (Charles) Carter one hundred miles from here; nor are there any Persons nearer--qualified for that Station." None of these men were ever appointed. Of the other five of whom Gooch described as "young Gentlemen" three, William Nelson, Robert Carter Burwell, and John Tayloe became councillors.[47]

Distance was definitely a problem in the period of slow communication. But those who were in charge of selection realized that certain areas had to be represented. During the first twenty years in Pennsylvania, the lower counties had equal representation with the other three counties. After 1701, usually at least one councillor was from the lower counties. James Logan wrote in 1704 to Penn that "Richard French and James Coutts, I suppose must be added for the territories.[48] Maybe because of Logan's unenthusiastic recommendation, neither was appointed. For years, William Till and Henry Brooke (1721-36) were the only members from the lower counties, although both Andrew Hamilton and Benjamin Chew were speakers of the lower house of the lower counties.

The situation was more complicated in Virginia because more territory was settled with a corresponding increase in the number of counties. In order to have responsible men in these outlying districts, councillors were appointed from remote areas.

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[47] English Duplicates of Lost Virginia Records, compiled by des Cognets, 244.

[48] James Logan to William Penn, Feb. 15, 1703/4, in Correspondence Between William Penn and James Logan. Edited by Edward Armstrong (2 vols., Philadelphia, 1870), I, 267-8.

In this way, the Custis family represented the Eastern Shore for three generations in the council, as well as the Harrisons being the only representatives from south of the James River.[49]

Gooch paid particular attention to the dispersement of the councillors in the 1730's. In early 1731, Gooch wrote to the Board of Trade recommending both Henry Armistead and Henry Harrison because the former is

> a gentleman of a fair Fortune and Character, and of the same County in which Col. Page lived: and I am the more Sollicitious for Mr. Armistead because that County of Gloucester is the most Populous, and where there are more Negroes than any other County in the Government, and hath always had one sometimes more of the council, Residing in it who had the chief Command of the Militia, . . . [and the latter resided in] a frontier County, bordering on the Indians, and where their Impressions are generally directed, may bring more Advantages to the publick Services . . . .[50]

Gooch also wanted Thomas Lee appointed a year later because he

> is a Gentleman of good Parts, of singular Probity and Character, but because he is one of good Interest & Esteem in his Neighborhood, which is of no small consideration in a part of the Country remote from the Seat of Government, where the common People are generally of a more turbulent and unruly Disposition than any where else . . . .[51]

The need for geographic distribution in the selection of councillors had both its advantages and disadvantages. If a prospective councillor was a Fairfax, Harrison, or Custis living in a remote area, the chances of being made a councillor were

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[49]Spotswood to Lord Commissioners of Trade, Nov. 16, 1713, Letters of Spotswood, II, 41. Sydnor, Gentlemen Freeholders, 92. See also FN. 52.

[50]Gooch to My Lords, Feb. 12, 1730/1, Gooch transcripts, VHS, 212.

[51]same to same, Oct. 5, 1732, ibid., 317-8.

very good. Such was also true of a lawyer or business man in the lower counties of Pennsylvania. However, this dispersal of the representatives also led to problems when the councillors were a great distance from the capital. In both Pennsylvania and Virginia by the end of the colonial period, at least a quorum of the councillors always lived in or near the capital.

Besides geographic distribution, occasionally a man was named a councillor because of his support of a particular issue in colonial politics or his allegiance to the governor through a crisis. Thus Robert Stretrell was named in 1741 to the Pennsylvania council because he was a pro-defense Quaker. For a similar reason, Richard Lee II, John Custis I, and Robert Beverley were appointed to the Virginia council because they supported Berkeley during Bacon's Rebellion.[52]

Also governors named certain men in attempts to create or to break a political clique. In this manner, Spotswood nominated Robert Porteus and William Cocke. Andros named Daniel Parke II for similar reasons and appointed Dudley Digges as a parting shot at his successor. Further, in Pennsylvania Fletcher chose George Forman (1693-5), Richard Hough (1693-1700), Patrick Robinson (1693-1700), William Salway (1693-6), and Andrew Robeson (1693-5) because they had supported the idea of a royal colony in 1693, and many of the older elected councillors

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[52]"Sufferers by Bacon's Rebellion," VMHB, V, 69. The Beverley Family of Virginia. Compiled by John McGill (Columbia, S.C., 1956), 1-2.

did not.[53] Personal vendettas and the support of special causes brought an appointment for some men.

Finally in Pennsylvania, several men were appointed primarily because of their legal ability. Since Penn manifested a deep faith in the written law, it was only natural that he would attempt to find men of legal ability to appoint. In a space of three years, between 1700 and 1703, Penn appointed John Guest, Thomas Story, and Roger Mompesson (1703-7). All were men of extensive legal training and the latter had served for a while in the House of Commons and as a judge in New York. As can be seen in this example, the Pennsylvania council was composed of men of diverse training and men were elected for more varied reasons in Pennsylvania than in Virginia.[54]

The process used of securing an appointment was based on a combination of many factors. The major reasons besides election were family connections, English influence, office holding, and friendship with the governor. A young Virginian of a councillor family, who had attained two out of three important qualifications with inheritance of an estate and some government office, might expect appointment if he had the third qualification which was ability. Even though ability was important in Virginia, it was

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[53]April 26, 1693 - May 10, 1693, MPC, I, 364-73.

[54]William Penn to James Logan, Oct. 1, 1700, Correspondence Between William Penn and James Logan, edited by Armstrong, I, 19; Hannah Penn to James Logan, Nov. 1700, ibid., 21; William Penn to James Logan, July 30, 1701, ibid., 47; William Penn to James Logan, Sept. 6, 1701, ibid., 52.

even more so in Pennsylvania. As will be discussed later, the Pennsylvania councillors of the 1770's had far more ability than their counterparts in Virginia manifested in the same period.[55]

Despite any number of connections, a man had to demonstrate ability. He may have been the oldest son and due to succeed his father, but without ability he was not appointed. In both Virginia and Pennsylvania, sons like Lord Chesterfield's son of the same period who had limited ability were probably not given councillorships. In almost all instances of complaints against councillors, the lack of talent was not mentioned. A man in line for a councillor's chair usually had to demonstrate his talents to his peers before he was nominated. Granted a young man with influence had the advantage over a similar person without influence, but no councillor is remembered in his contemporary setting for lacking ability. Though this system of selection was based on influence, both colonial and English, it provided men for the councils who had ability, influence, wealth, probably a family name, and some governmental experience.

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[55]For a discussion of the merits of the revolutionary period councillors see Chapter IX.

CHAPTER IV

PERSONAL BACKGROUND AND CHARACTERISTICS OF THE COUNCILLORS 1660-1776

In the preceding chapter, the external factors affecting the appointment of a councillor were discussed. As was shown, each man received his appointment through a combination of various influences. To obtain a better idea of who a councillor was, this chapter will be devoted to a study of the councillors' individual characteristics. Attention will be paid to place of birth, religious affiliations, educational attainments, age at the time of appointment, and length of service. The analysis of these characteristics reveals that the councillors were much alike in many respects. It should be noted, however, that the statistics used in this chapter are based on incomplete data. Since most of the councillors were born more than three centuries ago, much of the relevant information has disappeared in the course of time. This is particularly true of the large number of the councillors who served in Pennsylvania before 1701. Complete data are available for only a small fraction of the nearly ninety councillors serving in this twenty year period.

Since both colonies were part of the British empire, it is understandable that most of the non-American born councillors were from the British Isles. No discernible pattern exists in the geographic distribution of the home shires of the councillors born in England. With the exception of a great number from London and Yorkshire, the councillors' homes in England were spread over the entire countryside.

GEOGRAPHIC DISTRIBUTION OF THE BIRTHPLACES OF COUNCILLORS[1]

Location	Virginia	Pennsylvania	
		pre 1701	post 1701
England	50	28	14
Scotland	2	1	1
Ireland	0	3	2
Wales	0	6	0
Maryland	0	4	2
New York	0	0	2
Massachusetts	1	0	0
Virginia	59	0	0
Pennsylvania	0	0	7
Other	1	4	2
Totals	113	40	30

Councillors from Pennsylvania came from more sections of the British Isles than the Virginians. There were two Virginians, James Blair and Robert Dinwiddie, from Scotland,

[1]The Chart and map show only positive information. It could be assumed that, of the remainder of the councillors in Virginia and in Pennsylvania, many were English born. Probably a few more of the unknown Pennsylvania councillors were born in Pennsylvania. For further information, see Appendix A.

but the rest of the non-British councillors served in Pennsylvania. During the period under consideration, Scotland furnished two councillors, Ireland five, and Wales six for the Pennsylvania council, which also had non-British members. In the earlier period, there were at least two Swedes, one Frenchman, and possibly several Germans on the council. The two Swedes, Petr Alrichs (1684-90) and Lasse Cocke (1683-4, 1693-5), were settlers in Pennsylvania prior to Penn's acquisition of that territory. Three of the Pennsylvania councillors came from the islands of Jamaica and Barbadoes in the West Indies.[2]

Furthermore, Pennsylvania led Virginia by having councillors from more American colonies. There were councillors of Pennsylvania who had come to that colony from Maryland and New York. This happened because the Penns actively recruited men of the stature of James Tilghman (1767-75) or Benjamin Chew for the government of Pennsylvania. Also some of the councillors who had been Quakers or who had been converted to Quakerism came to Pennsylvania in the early days. William Southeby (1684-7), who was born a Roman Catholic in Maryland and converted to Quakerism, was one such individual. He became one of the early abolition Quakers in the American

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[2]See Appendix A. Scharf and Westcott, History of Philadelphia, I, 110. Tolles, Meeting House and Counting House, 43-4.

colonies. Virginia had one councillor born in another colony. This was Isaac Allerton, son of Isaac Allerton and Faith Brewster, the daughter of Elder Brewster of Plymouth Colony. The senior Allerton had become disillusioned about the beliefs of the Pilgrims and had moved south, stopping in New Haven and New Amsterdam before reaching Virginia. Allerton served briefly on the council before refusing to take the oath to William and Mary in 1691.[3]

Virginia far outstripped Pennsylvania in the percentage of native born councillors with more than forty per cent falling into this category. On the other hand, Pennsylvania only had six locally born councillors of whom four: William Logan; Edward Shippen, junior; Thomas Cadwalader; and Andrew Allen were serving at the time of the outbreak of the Revolution.

Because of inadequate geneological data, it is impossible to determine who was the first Virginia born man to serve as councillor, although it was probably Thomas Swann, born in 1616 and elected to the council in 1659.[4] As early as 1692, over fifty per cent of the Virginia council was Virginia born, while by 1750, all of the Virginia councillors

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[3]Carroll, "William Southeby, Early Quaker Anti-Slavery Writer," PMHB, LXXXIX, 416-7. See also Appendix A.

[4]Adventures of Purse and Person. Edited by Annie L. Jester (Princeton, 1956), 322-4.

but William Fairfax and Commissary Dawson were native born. Pennsylvania never reached this level of locally born councillors.[5]

Although the councillors were born in diverse locations, by the time they began to serve the councils they usually resided in the same areas. In Virginia, where over one hundred and ten of the residences of the councillors have been identified, the pattern definitely shows that most of the councillors lived in the tidewater. As mentioned in the preceding chapter, some attention was paid to the geographic distribution of Virginia councillors, but, with the rapid increase in the settled area of the colony, this policy was not maintained. Governors from Berkeley to Gooch aired their difficulties in securing a quorum because of the great distances that some councillors lived from the capital. Despite their complaints, almost half of the councillors of Virginia lived either in the four counties of Charles City, York, James City, and Gloucester or in the town of Jamestown before 1699 and in Williamsburg after that date. A premium was placed on residence

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[5]Members of the Virginia council in 1700 were R. Lee II, William Byrd I, Edward Hill II, Edmund Jenings, Charles Scarborough, John Lightfoot, Matthew Page, B. Harrison, King Carter, and John Custis II. The underlined were Virginia born. The council in 1750 was J. Blair, W. Nelson, T. Nelson, W. Dawson, John Lewis II, Philip Ludwell III, P. Grymes, R. Corbin, P. Randolph, W. Beverley, W. Fairfax, and Lewis Burwell II.

in Williamsburg, and at least one councillor, Robert Carter II, moved there after he had been selected. Of course, others maintained residences there during public times.[6]

Though Virginia grew in populated territory, no councillor, except the Fairfaxes notwithstanding their interests in western lands, maintained a residence west of the fall line. To the northwest from Williamsburg, several councillors, including the two Fairfaxes, Henry Meese (1680-1), and William Fitzhugh (1711-4), lived more than 100 miles from the capital. On three occasions, presidents of the council while acting as governors, lived north of the Rappahannock River. Distance, plus the hazards of slow travel and the necessity of having councillors close to the capital, prevented a broadening of the geographic base of the council as the population expanded.[7]

Even though they complained of long distances in intracolonial travel, the councillors of Virginia travelled frequently, and a considerable number of the more prominent ones resided for several years in London. Other councillors at some time in their life are known to have visited, taken

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[6]Charles City County had 8 councillors, Williamsburg 11, York 14, James City 9, and Gloucester 19, for a total of 61. Morton, Robert Carter of Nomini Hall, 44.

[7]The three presidents were Robert Carter, Thomas Lee, and William Fairfax. For impact of distance on council attendance, see Feb. 18, 1708, EJCV, III, 206-7, which reads: "The Indisposition of severall Gentlemen of the Council and the disappointment of others in passing the Rivers haveing occasioned a much thiner Council than was expected."

holidays, worked, or retired in New Haven, Boston, Maryland, the West Indies, Spain, and the Canary Islands. Still the major temporary or permanent non-Virginia residence for these men was London.

To the eighteenth century councillor-politican, London was Mecca. Here he could untangle his financial affairs with the merchants with whom he did business and also reenforce or develop political connections that would aid him in the quest of his aspirations. In a delightful and self-revealing account of his London stay, William Byrd II recorded not only his amorous adventures but his equally diligent pursuit of nobles whom he hoped would use their influence in his behalf. Other councillors, including Edmund Jenings, Lewis Burwell III, and several of the Carters, paid visits to London. Some, councillors such as Henry Meese, Robert Porteus, and Philip Ludwell III, retired to England after being appointed to the council and lived there permanently. To a colonial official in the outposts of the empire, the voyage to London was usually a prosperous trip. Thus, though travel in Virginia was an annoyance, being hampered by too many rivers and too few good roads, the voyage to England, though more difficult and hazardous, was a risk worth taking. Many took it with relish.[8]

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[8]Byrd, London Diary, 1715-1720, "Virginia Gleanings in England," VMHB, XIII, 312; XIX, 289.

Except during the first twenty years, the geographic distribution of the residences of councillors in Pennsylvania was even more restricted than in Virginia. During the early period, there was a wide dispersal of councillors throughout the colony because of Penn's enforced requirement that there be three councillors from each of the six counties. Some of the councillors avoided this restriction by maintaining additional residences in or near Philadelphia.

After 1701, the council of Pennsylvania was largely composed of residents of Philadelphia, as can be seen from a comparison of the roster of councillors for the province with the list of mayors, aldermen, and city councillors. Out of fifty-five councillors holding office after 1701, twenty-two also served as mayor of Philadelphia, and the number who had been city councillors was even higher.[9] The narrowness of the geographic base is emphasized even more by the fact that no councillor ever lived in any but the three original counties or the lower counties. This means that after 1701 there was never a councillor who lived more than thirty miles from Philadelphia, with the exception of the occasional post-1701 councillor from the lower counties. In spite of this degree of proximity, the governor still complained that the great distance which councillors lived from Philadelphia kept

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[9]Scharf and Westcott, History of Philadelphia, III, 1536.

the council from having a quorum. Philadelphia was thus even more than Williamsburg the center of the colony from the standpoint of the homes of the councillors. No attempt was ever made in Pennsylvania to secure councillors from outlying areas as had been done in seventeenth century Virginia as a matter of policy.

Notwithstanding their lack of dispersion throughout the colony, the Pennsylvania councillors were as mobile in their habits as the Virginians. Some of the Pennsylvania councillors, even after their appointment, were practically itinerants. Especially in the early years, a number of the Quaker councillors also served as ministers. A good example is Thomas Story, an itinerant minister whom Penn appointed to the council to keep his legal talents in the colony. Story, in a long memoir which he wrote years later, explained that since he was "not under any Engagement in myself to return immediately to England; and seeing I might probably be of some Service there, and elsewhere in America. . . ."[10] remained. Story, in his missionary efforts while serving on the council, several times made extended trips to New England and also to the West Indies. Once when he was returning from Barbadoes, he was captured and held prisoner by the crew of a French privateer.[11]

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[10]Thomas Story, A Journal of the Life of Thomas Story, (Newcastle upon Tyne, 1747), 245.

[11]Ibid., 447.

Other Pennsylvania councillors had moved several times before they came to settle in Pennsylvania. Andrew Hamilton, born in Scotland, had lived in Virginia, Maryland, and in one of the lower counties, before settling in Philadelphia. West Jersey, before the settlement of Pennsylvania, had also been a stopping place for many of the early settlers. Several more, because of their faith, acted as Quaker missionaries to other colonies. Edward Shippen is particularly noted for having been arrested several times in Massachusetts for attempting to proselytize the Puritans.[12] Even though they travelled and lived in such places as Barbadoes and Jamaica, the return trip to England did not hold the same fascination to the Pennsylvanians as it did to the Virginia gentry. With the exception of voyages to England to enter a particular school or to seek aid from the Penns, there were few Pennsylvania councillors who returned to England for either pleasure or business.[13]

The contrast between the membership of the two councils stands out most clearly in regard to geographic distribution within the two colonies. In Virginia, a councillor came from

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[12]Joshua F. Tasker, "Andrew Hamilton of Pennsylvania," PMHB, XVI, 2. John E. Pomfret, "West New Jersey: A Quaker Society, 1675-1775," W&M, (3), VIII, 493-519.

[13]Charles W. Dulles, "Sketch of the Life of Dr. Thomas Cadwalader," PMHB, XXVII, 268. Colonial Families of Philadelphia. Edited by John W. Jordan, (2 vols., New York, 1911), I, 47, 82.

his plantation to Williamsburg for a session of the court or council. He had been in part called to his appointment because of the nearness of his plantation to Williamsburg. After he had become established, he often made a trip to England for pleasure, profit, or to seek aid from the political leaders there. The Pennsylvania councillor, however, usually resided in or near Philadelphia and had done most of his travelling prior to his appointment. If he travelled, it was for business or religious reasons, and he almost never returned to England even to retire. This is in part because Philadelphia, which by the end of the colonial period was the second largest city in the British empire, offered more opportunities for business and pleasure than the little hamlet of Williamsburg. Also Pennsylvania in its early days was a refuge for the Quakers, and England was not the most friendly place for Quaker councillors to retire.[14]

Many of the men who were councillors in these two colonies were dedicated religious men. It was an age of faith, and almost all of the councillors in both colonies were participating members. From being the first to contribute to the building of a church, to serving as vestrymen, and to making extensive ministerial journeys, the councillors

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[14]For a description of the two towns, see Bridenbaugh, Rebels and Gentlemen: Philadelphia in the Age of Franklin (New York, 1942), and Seat of Empire (1950).

actively pursued their religious beliefs. In fact, a good number of the councillors were ordained clerics in the Anglican Church or practicing ministers of the Quaker faith. James Blair, the Dawsons, James Horrocks (1770-2), John Camm (1772-5), and Richard Peters in Pennsylvania were ordained Anglican clergymen while Thomas Story, Hugh Roberts (1693), John Simcock, and others in Pennsylvania were practicing Quaker ministers.[15]

The political advantage of being a vestryman in the established Anglican church was important in Virginia. Vestry politics and the control of such politics were an integral part of the councillors' life. Twice the Virginia councillors and burgesses got into arguments over this control. The first time was in 1706 and the next time in the late 1740's. Philip Ludwell II used his position as a vestryman of Bruton Parish in an attempt to break Spotswood's pretensions to be the exclusive power in Virginia to appoint ministers to a particular parish.[16]

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[15]Robert Proud, The History of Pennsylvania (2 vols., Philadelphia, 1797), I, 221, 236-7. Colonial Families of Philadelphia, edited by Jordan, I, 59. Bishop Meade, Old Churches, Ministers, and Families of Virginia (2 vols., Philadelphia, 1910), I, 157, 173.

[16]June 5, 1706 LJCV, I, 467-72. "Church Patronage in Virginia, VMHB, XXII, 401-9. For a description of the 1740's vestry fight see Chapter I.

Being a vestryman was part of the responsibility of the gentry, and the Virginia councillors filled this duty well. If all records were available, it is probable that there would be evidence to show that a high percentage of the Virginia councillors served as vestrymen at sometime in their lives. It is known that at least sixty councillors served as vestrymen and that of those thirteen were chosen to the office in Bruton Parish of Williamsburg. At times, the Bruton Parish vestry meeting must have seemed to be a council meeting.[17]

Of the 135 councillors in Virginia, a strong case can be made that almost all of the 135 councillors in Virginia were Anglicans. Indeed, only four Virginia councillors professed a different or dissenting faith. Isaac Allerton was originally a Pilgrim-Separatist who became an Anglican; Richard Bennett (1630-c.60) was a non-conformist Quaker, a Puritan and finally an Anglican; Anthony Dew (1657-66) was a Quaker, and Obedience Robins (1658-60) was a Puritan. None of these men were strong enough in their faith to disturb the Anglican hierarchy of the council.[18] All of the Virginia councillors after 1700 were Anglicans.

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[17]W. A. R. Goodwin, Historical Sketch of Bruton Church (Petersburg, 1903), 121. Meade, Old Churches, Ministers and Families of Virginia, I, 178-9, 218, 319, 324-7, 367, 386-7, 393; II, 116, 125.

[18]"Papers Relating to the Administration of Governor Nicholson and to the Founding of William and Mary College,"

The religious affiliations of the councillors in Pennsylvania were more complex. The Quaker origin of the colony was reflected in the membership of the council. From the beginning to the end of the colonial period, Quakers often held dominant positions on the council. From a majority through the first thirty years the number of Quakers gradually declined until Anglicans became a majority by the third decade of the eighteenth century. Still the Quaker members, such as Robert Stretrell and the two Logans, continued to assert Quaker beliefs at council meetings.

POSITIVE RELIGIOUS IDENTIFICATION OF COUNCILLORS

	Anglican	Quaker	Others
Virginia	78	2	2
Pennsylvania - Pre 1701	4	44	0
Post 1701	21	16	0

Quakerism in Pennsylvania was one of the influencing factors which caused the division into the political factions. In the early part of the 1700's, it was the Quaker councillors against the Anglican councillors. When the proprietors converted to Anglicanism in the 1730's, the council majority shifted too.

VMHB, VII, 170. S. E. Morison, "Virginia and Marylanders at Harvard College in the Seventeenth Century," W&M (2), XIII, 7. Adventurers of Purse and Person, edited by Jester, 257.

Anglicans served on the Pennsylvania council practically from the first meeting in 1683. Penn's cousin William Markham, the Attorney-General Patrick Robinson, and Supreme Court Justice Nicholas More were all Anglicans. This influential Anglican minority continued even when the membership changed. Jasper Yeates (1696-1720), who entered in 1696, was probably the first Anglican vestryman to serve on the council. Thereafter at least ten councillors served on the vestry of Christ Church, Philadelphia. By the end of the colonial period, the council with Benjamin Chew, Andrew Allen, James Hamilton, the Penns, Thomas Lawrence, and Richard Peters was firmly in the hands of the Anglicans. When Richard Peters became rector of St. Peter's Church in Philadelphia, several of his follow-councillors including Benjamin Chew, Andrew Allen, and Edward Shippen, junior, purchased pews in that church.[19]

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[19]Keith, Chronicles of Pennsylvania, I, 332-44. Thomas H. Montgomery, "List of Vestrymen of Christ Church, Philadelphia," PMHB, XIX, 518-26. C. P. B. Jeffreys, "The Provincial and Revolutionary History of St. Peter's Church, Philadelphia," ibid., XLVIII, 355, 363. Konkle, Benjamin Chew, 193. For a description of the equality attempted in council appointments after 1721, see Keith to Council, Nov. 23, 1721, PA (4), I. Keith stated that he wished "some kind of an Equality or Proportion in his appointmentt of the subordinate officers of Government, between those who profess themselves Members of the Church of England and the People called Quakers."

Church membership in Pennsylvania had a far greater impact on Pennsylvania politics than in Virginia. The Quakers, who took their faith seriously, actively participated in politics, following the tenets of their religion. But with the fragmentation of the Quakers by the Keithian schism in the early 1690's, the increase in Anglican members in the time of Governor Keith, and the conversion of the proprietary family in the 1730's, the Quaker councillors eventually became a minority. In fact during the last fifty years the only Quakers who were appointed to the council with possible exception of William Logan were either pro-proprietary or pro-defense.[20]

Virginia, because of the homogeneous nature of the religious faith of its council, was not wracked by the same difficulties as the proprietary colony. The only major problems arising out of religious sources concerned the appointment of the vestry, the installation of new rectors, and the control of the vestry by the lower house. The underlying factor in these difficulties was that religious matters were sometimes used for political ends in Virginia. The Anglican councillors of Virginia were aware of their faith even though some of the councillors used their religion for their own ends of political maneuvering. One needs only to read Byrd's

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[20]Tolles, Meeting House and Counting House, 141.

diaries to understand that the Anglicans of Virginia were conscious of their religion.[21] Another indication of this religious concern can be seen in a letter King Carter wrote to William Dawkins. Carter wrote:

"I am of the Church of England way . . . But the high-flown up Top notions and the great stress that is laid upon ceremonies, any farther than decency and conformity, are what I cannot come into the reason of. Practical godliness is the substance--these are but the shell."[22]

Finally, the religious affiliation of councillors was much more significant in the relations of Virginia and the mother country than in Pennsylvania. Quakers in Pennsylvania had almost no influence in England, whereas there were many connections between the Anglican church of Virginia and England which were used as tools in the political maneuverings in Virginia. Thus, throughout the period, church membership was important.

Education, like religion, was another important element in the personal background of a councillor. Though not a great percentage of the councillors attended a university,

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[21]See either Byrd's Diary, 1709-1712 or William Byrd's London Diary, 1715-1720 for references as to his religious faith. Morton, Colonial Virginia, II, 468.

[22]Carter to Dawkins, July 14, 1720, Letters of Robert Carter, 1720-1727. Edited by Louis B. Wright (San Marino, Calif., 1941), 25.

still an appreciable number of both councils and in particular some of the leaders attended schools in England and developed many influential contacts. Much has been written by Louis B. Wright, Frederick B. Tolles, and Carl Bridenbaugh on the intellectual aspects of these two colonies. James Logan, Richard Lee II, William Byrd II, Robert Carter of Nomini Hall, William Southeby, and others spent much of their leisure time in the pursuit of knowledge and in the acquisition of books. Several of the largest colonial libraries were owned by members of the two councils.[23]

Also councillors in both colonies acted as the stimulation for the development and maintenance of the College of William

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[23]In the late 1930's, there was a brief historical argument over the intellectual pursuits of the Virginia gentlemen. For one side, see Louis B. Wright, "Richard Lee II, a Belated Elizabethan in Virginia," The Huntington Library Quarterly, II, 1-35. For the dissenting view, see Milton Ellis, "Richard Lee II, Elizabethan Humanist or Middle-Class Planter?" W&M (2), XXI, 29-31. Ellis basically supports T. J. Wertenbaker who stated in a letter to Ellis that "The first large planters brought with them a fair degree of education, . . . the second generation to which Lee belonged were chiefly interested in building up their estates and education declined; . . . the third and fourth generation in imitation of the English squire turned to cultural things." Despite Wertenbaker and Ellis, I think that the councillors were a vehicle of English thought to America and as they became Americans, this baggage of knowledge was used to lay the foundation of ideas which fostered America. This point of view appears intermittently throughout this dissertation. For further references, see Tolles, James Logan and the Culture of Provincial America, Wright, The First Gentlemen of Virginia, and Bridenbaugh, Rebels and Gentlemen: Philadelphia in the Age of Benjamin Franklin.

and Mary and the College of Philadelphia. The Pennsylvania councillors subscribed as individuals £120 per annum for five years to start the college, and seven sat on the first board of visitors. Richard Peters, Philip Ludwell II, Daniel Parke I, William Byrd I, Commissary Blair and many more served on the boards of these two schools.

In addition to aiding in the establishment of these colleges, some future councillors attended them. Allen went to the College of Philadelphia shortly after it had been opened. Because it was established almost sixty years earlier, five Virginia councillors attended William and Mary. John Blair, William Byrd III, Robert Carter II, and two Pages attended classes there. When they were in class at William and Mary, these future councillors were being taught by councillors, since the commissary-president and several future holders of a place at the board were lecturers at the college.[24]

Still these two colonial colleges did not provide education for the majority of the councillors. Eton, Oxford, Cambridge, Glasgow, Edinburgh, and the Inns of the Court were

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[24]Morton, Colonial Virginia, I, 346-7; II, 624-5. Alfred Jones, American Members of the Inns of the Court (London, 1924), 3. "Proceedings of the Visitors of William and Mary College, 1716," VMHB, IV, 161-75. "Notes Relating to Some of the Students Who Attended the College of William and Mary, 1753-1770," W&M (2), I, 37. Thomas H. Montgomery, A History of the University of Pennsylvania (Philadelphia, 1900), 51, 53, 282. See also Appendix A.

the predominant places of education. Several, like Hamilton who attended Glasgow, St. Andrew's, and Gray's Inn; and Ralph Wormeley III who attended Eton and Trinity, Cambridge, went to more than one school. There were also councillors who went to private preparatory schools before attending one of the universities.[25]

The primary function of this education was practical. In a series of letters between "King" Carter and his ward, Lewis Burwell III, this is pointed out very clearly. Carter wrote on one occasion expressing the hope that Burwell would "return from there /College/ with the Qualities of good learning as well as good breeding."[26] Several years later, before Burwell returned to Virginia, Carter expressed the wish "that you may get Wisdom and such that will be your guide in a Virginia life. . . ."[27] Within twenty years, Burwell was president of the council.

The practical aspects of education, as pointed out in this example, is emphasized by the fact that the Inns of the Court, Gray's, Lincoln's, Inner and Middle Temple, were the places where the majority of the councillors went. It was here

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[25]Courtlandt Canby, "A Note on the Influence of Oxford University Upon William and Mary College in the Eighteenth Century," W&M (2), XXI, 243. Jones, American Members of the Inns of the Court, 34, 41, 93-4, 159-61.

[26]King Carter to Lewis Burwell, June 26, 1729, Diaries and Letters of Robert Carter, MSS in Alderman Library.

[27]Same to same, August 12, 1731, ibid.

that they learned the legal trade and carried it back home. Through councillors such as Benjamin Chew who had studied at the Middle Temple, prominent American leaders of the post-revolutionary period learned the English legal system. This is one of the clearest examples of how the councillors carried English knowledge to America and translated it into an American setting.[28]

For those interested in religious instruction, Queen's College, Oxford, was the primary focal point in the eighteenth century. Both the Dawsons went to this particular college and were granted their M.A. degrees in theology. Further, some future councillors were interested in the medical profession such as Thomas Graeme (1726-7), who went to the University of Leyden, and Cadwalader, who studied at the University of Rheims. Through Cadwalader, medical knowledge was transferred to America because he was instrumental in the establishment of the Philadelphia Hospital and lectured there regularly. He also published several treatises on medical subjects.[29]

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[28]Jones, American Members of the Inns of the Court. Jones listed at least nineteen councillors at the Inns including Nathaniel Bacon, senior, William Byrd II, William Byrd III, G. Corbin, Lewis Burwell, III, John Carter II, Benjamin Chew, Edward Shippen, junior, Andrew Allen, Andrew Hamilton, William Hicks, W. Assheton, Robert Carter II, E. Digges, John Guest, P. L. Lee, Roger Mompesson, T. Nelson, and Nicholas Spencer.

[29]Canby, "A Note on the Influence of Oxford University . . ." W&M (2), XXI, 243-7. Francis R. Packard, "Thomas Cadwalader," DAB, III, 400.

The fifty councillors who attended college is only a small proportion of the whole, but they were many of the prominent leaders. If we look at the number of educated councillors who served, several interesting conclusions appear. In Virginia prior to 1671, there was only one English educated man on the council. From 1671 to 1698, the number ranged from two to six in any given year. Then from 1701 to 1708, James Blair was the only educated councillor. From 1709 with the addition of William Byrd, the younger, there was a steady increase to the end of the colonial period. From 1758 on at least four councillors in each year had had an English education, and after 1770, there were six councillors who had attended school in England. Also from 1720 on, at least one councillor had gone to William and Mary. A similar pattern holds true in Pennsylvania after 1747. Before that time only an occasional councillor had formal training in England. But after 1747, the number increased from two per year to three in 1749, to five in 1755, and finally to six in 1771.

The last five colonial years in each colony had the best record of educated men serving on the council. Apparently after families had become settled and prosperous, their sons went to English schools. Thus the second generation in Pennsylvania, and the third and fourth in Virginia was the best educated of any of the councillor generations. Also it is

interesting to note that in Virginia at the time of the American Revolution, the lone American educated councillor, John Page, junior, was the only patriot while in Pennsylvania, just the opposite was the case with the Tory Andrew Allen. Allen was the only Pennsylvania councillor educated at the College of Philadelphia.

Although only one-sixth of the total number of councillors were formally educated, the group as a whole should be considered as well-educated for that period. Many who had no formal training nonetheless had read law and served in mercantile establishments in order to learn business methods. The extent of this training, both formal and informal, of some of the councillors is emphasized by the amount of publishing which they did. From religious tracts through political assaults to histories, medical tracts, anti-slavery pamphlets, and memoirs, a considerable volume of printed matter was produced by these councillors.

The vast majority of the councillors' published works were either in religious or political fields. Such pamphlets as The Bomb Searched and Found Stuffed with False Ingredients by Caleb Pusey, A Sermon on Education by Richard Peters, and Our Saviour's Divine Sermon on the Mount by James Blair were indicative of the type of religious tracts published. They were either published sermons or like Pusey's, special theses published in response to an argument. Another series of

pamphlets which were an offshoot of religious beliefs were those by William Southeby on anti-slavery themes.

Other publications were written as a result of political crises. Thus Blair, Hartwell, and Edward Chilton wrote The Present State of Virginia and the College, Philip Ludwell II wrote a pamphlet attacking Spotswood, David Lloyd, after he was no longer a councillor produced A Vindication of the Legislative Powers, and John Camm before he was a councillor wrote the leading presentation of the clergy in the Two Penny crisis. These and other such pamphlets clearly show how thoroughly several of the councillors participated in practical politics.

The other major literary category was in the field of legal literature. Several of the councillors, including William Markham, David Lloyd, Andrew Hamilton, and Benjamin Chew, revised the laws of their colony or wrote frames of government. Besides these major categories, Thomas Cadwalader wrote An Essay on the West Indian Dry Gripes, William Byrd II prepared manuscripts on several of his expeditions as well as his diary in shorthand, and Thomas Story wrote an autobiography.[30]

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[30]Cadwalader, An Essay on the West-Indian Dry Gripes (Philadelphia, 1745). David Lloyd, A Vindication of the Legislative Powers (Philadelphia, 1725). James Blair, Henry Hartwell, and Edward Chilton, The Present State of Virginia and the College (London, 1727). Caleb Pusey, The Bomb Searched and Found Stuffed with False Ingredients . . . (Philadelphia, 1705). James Blair, Our Saviour's Divine Sermon on the Mount (5 vols., London, 1722). Peters, A Sermon on Education (Philadelphia, 1751). Story, A Journal of the Life of Thomas Story. Richard L. Morton, "John Camm," DAB, III, 440-1.

The literary attainments of the councillors as well as their interest in the accumulation of books demonstrates that these men were concerned about knowledge. Over the years, Byrd, the younger, collected the largest library in the colonies, and the Logan library in Philadelphia was not much smaller. There was no other group in the colonies that demonstrated such awareness of intellectual and practical knowledge. Further, the councillors' published works were some of the best produced by colonial writers on the subject of history and religion.

An indication of the degree to which the councillors were interested in the pursuit of knowledge is provided by the council chamber library list prepared by Philip Ludwell Lee in 1770. On this list were such books as the journals and votes of the House of Commons and Lords, Carter's and Kennet's histories of England, Harrington's works, Blackstone's commentaries, Bacon's abridgments, philosophical transactions, and Middleton's Cicero. Of course, these books were purchased in part to aid the councillors in governmental affairs, but the type of books demonstrates on what a practical level they pursued knowledge. This point is made even clearer in the several lists of estate libraries which Wright has investigated.[31]

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[31]"Journal of the Council of Virginia in Executive Sessions, 1737-1767," VMHB, XVI, 148. List of Books necessary for the Council Chamber made out by Philip L. Lee, June 18, 1770, Mss. in VHS

Several councillors pursued knowledge beyond college. William Byrd II's membership in the Royal Academy, the founding of the American Philosophical Society, John Page III's Society for the Advancement of Usefull Knowledge, the aiding of new colleges, and the publication of new books illustrate the constant search for knowledge. The councillors were the best educated group in the colonies outside of the clergy, and in many instances the councillors' education was far superior to that of the clergy. Although their interests were doubtless in social advancement and financial well-being, it is clear that they were also interested in achieving knowledge of the world around them. Because of this interest, they helped to transfer English knowledge and laws to American soil.[32]

Another characteristic of the councillors which stands out besides their interest in religion and education is the fact that these men had a keen sense of honor, were sensitive about their privileges, and often pushed a lesser man hard in attempts to gain a strong position. The councillors were haughty, jealous, and swift to criticize. One needs only to read of Nicholson's attempt to accept Daniel Parke II's challenge to a duel to understand that tempers flared and political factions changed because of petty jealousies.

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[32]Maude H. Woodfin, "John Page," DAB, XIV, 138, See also Appendix A.

These men did not kneel to anyone, and certainly a considerable number were convicted of using strong language and accused of pressing themselves too hard. John Carter I (1658-1669) was arrested in 1659 for opposing the Cromwellian commonwealth; Nathaniel Bacon, junior, was under the king's warrant before he died; and Robert Porteus was fined for refusing to serve as sheriff. Similar occurrences happened in Pennsylvania. Before 1701, when the council was actively policing people's morals, councillors were suspended or denied seats because of speaking treason, for not draining a swamp, and for opposing the proprietor's right to establish the government. Robert Quary was in constant trouble for speaking against Penn, William Biles was censured before the assembly, Robert Assheton, James Logan, and Abraham Wood were all suspended. Petty crimes, slander, and supposed treason were reasons why councillors were under the threat of arrest or suspension at times.[33]

William Byrd II showed very clearly in his diary how such ill feeling was fostered. In 1710, after drinking too much with some of the councillors, Byrd wrote a parody on the House of Burgesses which was circulated the next day. For

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[33]August 4, 1709, EJCV, III, 220. "To the assembly Concerning the Disciplining of a 'Pernicious' Member," June 20, 1705, in PA (4), I, 215. May 14, 1700, MPC, I, 602-4. Action of a Court of Newcastle, Aug. 20, 1686, in Cadwalader Collection, Delaware Folder, HSP.

several days the house was in an uproar over this scurrilous attack. Almost forty years later, the burgesses called John Blair to the bar to censure him for such an attack. Other councillors, including James Logan and Richard Peters, were not above writing attacks on the lower house leaders.[34]

The councillors' predilection for attacking the members of the lower house was matched by their jealousy of their own prerogatives. This was particularly true in Virginia where the gentry were jealous of all intrusions on their authority, such as the effort by Robert Dinwiddie to be seated and the attempts by the governors to enforce the royal prerogatives. When there was a reconciliation in the council after a dispute, it was a matter for great rejoicing, as William Byrd II recorded in 1720.

The order of precedence also caused much difficulty. Edmund Berkeley (1715-8) refused to take the oath of office before his original seat was restored. In February and March, 1714, Spotswood appointed Mann Page and Nathaniel Harrison to the council. They were duly accepted and sworn to the council. Then Edmund Berkeley presented his Queen's Warrant for his council seat but refused to be sworn unless he had precedence over Page and Harrison. During the debate, Robert Porteus was also called to the council. In November, 1714, the council

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[34]Nov. 24, 1710, Byrd's Diary, 1709-1712, 262. JHB 1742-7, 1748-9, 290.

determined that one's seniority dated from the time of being sworn. Thus the council supported the governor's action. Berkeley finally acquiesed in 1715 and was sworn. The day of swearing marked the beginning of seniority.

Further, this matter of prerogative confused everybody. Lightfoot referred to himself as president when actually nobody was, and William Byrd II objected to Commissary Blair being president in 1741 because he was a church appointee. When Blair was suspended in 1695, he very carefully wrote to Nicholson the names of the councillors present who acted on his suspension. Fifteen years later Jenings opposed the appointment of William Byrd, the younger, to the council when his name was left off the commission. During this same period, "King" Carter and Edmund Jenings were at each other's throats most of the time over the Fairfax grants and who was to be the proprietary agent. In 1718, Philip Ludwell II and William Byrd II worked closely until it appeared that Byrd might be appointed the new governor. Then Ludwell seemed to resent the fact that Byrd might move ahead of him.[35]

These several examples indicate that some of the councillors were jealous, haughty, and prone to stretch the letter of

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[35]June 23, 1710, Byrd's Diary, 1709-1712, 195. Williams, "Political Alignments in Colonial Virginia," 194. April 29, 1720, Byrd's London Diary, 1715-1720, 400. Blair to Nicholson, May 8, 1695, VMHB, VII, 275-6. "Virginia Council Journals," ibid., XXXV, 34. Dec. 16, 1704, EJCV, II, 418: Jan. 21, 1713/14; March 1, 1713/14; Nov. 4, 1714; Dec. 7, 1715, ibid., III, 362-3, 366-7, 382-4, 418.

the law to their own benefit. Despite their exalted positions, they were not above flinging sharp invectives at those around them. Although they aspired to a high level of gentility, some of the councillors fought hard, opposed those who stood in their way, and sometimes engaged in acts of pettiness.

COUNCILLORS' AVERAGE AGE AT APPOINTMENT AND DEATH,[36] AND AVERAGE LENGTH OF SERVICE

	Number of Councillors Considered	Average of Sample
Virginia		
Age on Appointment	80	39 years old
Years of Service	129	11 years
Age of Death	80	55 years old
Pennsylvania, Pre 1701		
Age on Appointment	8	44 years old
Years of Service	78	3 years
Age of Death	7	61 years old
Pennsylvania Transitional Councillors		
Age on Appointment	4	45 years old
Years of Service	10	15 years
Age of Death	4	69 years old
Pennsylvania, Post 1701		
Age on Appointment	35	40 years old
Years of Service	51	14 years
Age of Death	35	63 years old

[36]This chart is based only on positive information concerning the dates of birth, service, and death. All of this information and that used on subsequent pages is found in Appendix A. The category for "years of service" also represents the total number of possible councillors.

Another method to obtain information concerning the personal characteristics of the councillors is to study the statistical data which reveals the average numerical information about the two councils. Though the average age at appointment of a councillor was thirty-nine in Virginia, the youngest was twenty-three and the oldest fifty-eight. Of the ten councillors who were appointed to the Virginia council when they were still in their twenties, eight of them followed a relative closely, and the other two were related to councillors. The two youngest, Mann Page, age twenty-three, and Daniel Parke II, the same, were appointed because of the special needs of the governor. Governor Andros appointed his protege Daniel Parke II at this early age because he worked effectively against Nicholson, and Spotswood needed a man who was not related to the Burwells. The appointment of John Page III, Richard Lee II, William Byrd I, and Ralph Wormeley III, followed similar lines of reasoning or influence. It should be noted that the last three councillors appointed in Virginia were Ralph Wormeley III, age twenty-seven; John Page III, twenty-nine; and Gawin Corbin, thirty-five.

In Pennsylvania, the age range of the councillors was from twenty-four to fifty-nine. The four youngest appointed were Richard and John Penn, age twenty-nine and twenty-four respectively, and James and William Logan, twenty-eight and twenty-nine. In the first instance, the Penns were automatically

accorded a seat on the council when they came to Pennsylvania. In the latter cases, James Logan received his appointment at an early age because of his position, and his son was appointed immediately after his father had retired.

At the other end of the scale, the three oldest individuals were appointed to the councils for a variety of reasons. While there is no known specific reason for the appointment of the oldest Virginia councillor, William Churchill, the two oldest Pennsylvania councillors were appointed for reasons of influence or position. Thomas Holmes, the designer of Philadelphia and first surveyor, was appointed to the council because of his position. James Harrison, a Quaker minister and a first purchaser, was a relative of William Penn.

As can be seen, a man in Pennsylvania became a councillor at a later date in his life than his counterpart in Virginia. This was in part caused by the fact that in the first place Penn selected an older group of men to initiate the government and second because family connections were not so well established that there was no easy access to the office. Because of this latter fact, it took longer for a man to establish his position in order to be made a councillor.

A similar pattern holds true with respect to length of service. A Virginia councillor served on the average of eleven years and a Pennsylvania councillor nine. Still if we consider the length of service after 1701, we find that a considerably

different pattern exists. Post 1701, the Pennsylvania councillor served an average of fifteen years. This was also the average length of service for many of the Virginia councillors prior to the 1740's. "King" Carter served more than twenty-seven years before he became president, James Blair almost forty, and William Byrd II thirty-three. With the death of these three giants, the turnover on the Virginia council became more rapid. Thus Lewis Burwell III was on the council only seven years before he became president.

This was not the case in Pennsylvania because the councillors like Anthony Palmer, Samuel Preston, and James Logan served on the council almost continuously from 1702 to 1749. With the death of these three, a new group replaced them, which served to the beginning of the revolution. William Logan, James Hamilton, Richard Peters, Thomas Cadwalader, and Benjamin Chew constituted the working majority of the council for the last twenty years of its life. Thus the Pennsylvania council was actually more stable in the latter part of the colonial period than the Virginia group which was composed of relatively young and inexperienced individuals.

Although the average length of service for both colonies was about ten years, some councillors were in office more than forty years. All those who served many years eventually became president with the exception of Samuel Preston. In Virginia, James Blair served forty-five years followed by Edmund Jenings

and Nathaniel Bacon, senior, for thirty-six and William Byrd II for thirty-five. In Pennsylvania, James Logan was in forty-five years followed by Anthony Palmer, forty-one; Samuel Preston, thirty-seven; and James Hamilton, thirty-one. As has been seen in past references, often when a man finally reached the presidency, he was senile. In his last years, James Blair barely nodded while the meeting was going on around him. Anthony Palmer also seems to have been too old to have been in full command of his senses by the time he was president.

Two of these men were also the oldest to maintain active service. James Blair attended his last meeting when he was eighty-eight and Samuel Preston when he was eighty. It is probable that Anthony Palmer reached a similar age too. With seniority the only prerequisite for being president, often the government was in the hands of a man too old to cope with the broad array of problems. Yet some maintained an active interest as long as they were able and then dropped out voluntarily as James Logan did in 1747, and John Custis III did in 1749.

Only a few of the councillors lived to be as old as Samuel Preston or James Blair. As shown on the chart, the average age of death for a Virginia councillor was fifty-five, and for a Pennsylvanian, sixty-four. Some of the councillors died very young. William Fitzhugh died at twenty-eight, David Bray (1731) at thirty-two, Mann Page at thirty-nine after serving sixteen years, and William Assheton at thirty-three.

The average age at death is not of great importance, but it does show how young an important person reached the pinnacle of his career and how soon he died, particularly in Virginia. As far as the figures go, the Pennsylvania council gained stability because of the longevity of the councillors.

From the preceding review of personal characteristics, it is obvious from several categories mentioned that the council in Virginia after about 1690 and the council in Pennsylvania after the mid 1720's was a thoroughly Americanized institution. The men who sat on the council after these dates were predominantly American-born, second generation men who had a secure position in their social environment. Further after these dates, the men served longer on the council and this brought stability to it. Third, the men who served as councillors were some of the best-educated men in the colonies and also they were interested in enhancing the education of others. Fourth, the men who served on the councils were serious about their religious faith and actively participated in it. And finally, the statistical data reveals that the membership of the two councils was not too dissimilar after 1701.

CHAPTER V

OCCUPATIONAL AND ECONOMIC STATUS OF THE COUNCILLORS 1660-1776

As Governor Spotswood pointed out, a man needed to have ability, position in the community, and wealth to be considered as a candidate for a councillorship. Wealth was an important factor in determining a man's position in the community. The councillors derived their wealth from diverse occupations. Though they made their money through several occupations, the councillors for the most part belonged to the top two economic categories of colonial society as delineated by Jackson T. Main. The upper middle class was his second highest category which was composed of men having a net worth of from £500 to £1000 based on farming or the professional activities of a lawyer, doctor, or merchant. His highest category was the upper ten per cent consisting of large landholders or merchants who were worth more than £1000.[1] Membership on the council was an important means of broadening financial connections.

As a councillor, a man received a small salary in

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[1] Jackson T. Main, Social Structure of Revolutionary America (Princeton, 1965), 67, 97, 197, 205.

Virginia but not in Pennsylvania. Virginia councillors as well as their unsalaried Pennsylvanie counterparts received their real remunerations for the other duties that they performed. In Virginia, in 1756, a councillor received about £100 per year as a judge and councillor which was a considerable increase over the £38 per year which he had received prior to 1734. If the councillor held other positions, such as the post of auditor-general, he received about an additional £400 per year. The amount of this salary was computed by a percentage of the "revenue accounts audited." If a councillor became president while the governor was out of the colony, he received at least £1000 per annum. The commisary-councillor-minister and president of William and Mary had an income of £500. Further, the salaries of these councillors were often augmented by special fees. Fauquier estimated that the secretary made £1000 a year in fees, the surveyor-general £600, and naval officers from £60 to £600. Also on occasion, funds were made available for special duties. Thus John Robinson, senior, received £150 a year to do a map of Virginia. Even these salaries without any additional money or land would have enabled most of Virginia councillors to be classified in the upper middle class.

In Pennsylvania, the councillors received salaries only for their other duties. By 1764, a Pennsylvania councillor serving as Chief Justice received £200 per year, and

an associate justice received £100. The attorney-general received £75 per year. An attempt was usually made to compound office holding so that a councillor would have enough income to support his councillor's position.[2] Thus Thomas Story explained in his autobiography that Penn had given him additional offices so that he had a livelihood while serving as a councillor.[3]

In addition to public sources of income, the councillors pursued a wide variety of occupations from which they derived the major portion of their income and their landed wealth. Their financial operations were quite complex. Not only did they have a major occupation, but they usually participated in many lesser financial enterprises to augment their income. Most of these men became in effect small holding companies, and the council in some instances resembled the board meeting of a company more than a session of a governmental body. The councillors freely developed many

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[2]Nov. 4, 1731; Nov. 2, 1733, EJCV. IV, 255, 314, May 7, 1754, ibid., V, 469. Nov. 11, 1756, ibid., VI, 19. Answers to Queries by Francis Fauquier sent to Lords of Trade and Plantation no date , in Brock Collection, Henry Huntington Library (CW research department microfilm). MPC, IX, 381-2. The Royal Government in Virginia, 266-7. For discussion of the importance of salaries in Virginia, see Chapter I. Also for the economic status of the revolutionary period councillors, see Chapter IX.

[3]Story, A Journal of the Life of Thomas Story, 245.

business associations with their colleagues and thus compounded the number of informal connections. On the chart below, most of the individual occupations are listed, and each will be discussed in turn.

OCCUPATIONS OF THE COUNCILLORS[4]

Occupation	Virginia	Pennsylvania pre 1701	Pennsylvania post 1701
Planters	83	9	5
Merchants	4	8	11
Merchant-planters	8	3	5
Lawyers	2	3	17
Doctors	3	4	3
Ministers	5	3	2
Government Officials	5	2	5
Ship Captains	1	1	0
Tavern Keepers & Brewers	0	3	0
Schoolteachers	0	1	0
Millers	0	1	4
Unknown	26	57	4

Some of the combinations were: mining-milling-1; planter-slaver-miller-miner-1; planter-merchant-ship builder-1; merchant-planter-miller-3; lawyer-planter-4; lawyer-tobacco merchant-1; doctor-planter-2; minister-planter-6; minister-lawyer-1; government official-merchant-3; ship captain-merchant-3; merchant-bricklayer-1.

[4]This chart is based only on positive information. Each man was listed for his major occupation. A sampling of the various combinations of professions was placed at the bottom of the chart.

Clearly, of the total number of councillors, the greater part were planters. The preponderance of planters in the Virginia council is largely responsible for this characteristic. Following Main's division of the economic structure, all the Virginia planters for whom adequate information is available fall in the top ten percent. Of the forty councillors in Virginia for whom we have data concerning the number of acres owned, none owned fewer than 1000 acres of land. Of course, there were the big landowners such as William Beverley who controlled grants totalling 118,000 acres, John Robinson with more than 265,000 acres, King Carter who had at least 286,000 acres, and William Byrd II who held title to over 179,000 acres.

Besides these gigantic amounts of land, the value of the estates was sizable too. Richard Lee I, who died in 1664, had property valued at more than £2050, John Carter had an estate of 22,500 acres and personal property worth £2250, and John Tayloe I in the 1740's possessed an estate worth £10,000. When Thomas Lee's house was burned in 1727, it was estimated that he lost more than £5000 in personal

property alone.[5]

Many of the later councillors inherited their wealth thus fulfilling one of the requirements of being a councillor. John Tayloe II inherited about 13,000 acres from his father. The vast King Carter estate was divided among five sons but still provided princely estates for all.[6] The really prosperous members were those who inherited a sizable estate like King Carter and also possessed "a genius for acquisition."[7] Of course, there were men like Thomas Lee who was the fourth son and, because of his birth position, lacked a great fortune and education. Yet because of his "genius for acquisition" he was able to gain for himself a sound financial position.[8]

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[5]Edmund Berkeley, Jr., "Robert 'King' Carter" (Unpublished M.A. thesis, Virginia, 1961), v. Morton, Robert Carter of Nomini Hall, 15. Maryland Gazette, 2/4 1729. "Virginia Legislative Papers," VMHB, XVII, 370-1. Burton J. Hendricks, Lees of Virginia (Boston, 1935), 22. "Diary of William Beverley of Blandfield," edited by R. Carter Beverley, in VMHB, XXVI, 27. For an indication of some of the unknown Pennsylvania councillors being planters, see Holmes map in Scharf and Westcott, History of Philadelphia. I, 108-9. Byrd's Diary, 1709-1712, xii.

[6]"Virginia Legislative Papers," VMHB, 370-1.

[7]Morton, Robert Carter of Nomini Hall, 9. For a partial listing of the Carter estate see Letters of Robert Carter, edited by Wright, 136-47.

[8]Hendricks, Lees of Virginia. 51.

This capacity to acquire land that was so prominent in the Virginia councillors was possessed by a fair number of the Pennsylvania councillors, although their tracts were not as large. The Holmes map of Pennsylvania shows that many of the early councillors owned several tracts of land in the three counties. Of course, many of the first Pennsylvania councillors were members of the Free Society of Traders or were first purchasers. The Pennsylvania councillors continued this accumulation until the Revolution. In the years immediately before the Revolution, a number of the councillors including Benjamin Chew, Joseph Turner, Edward Shippen, junior, and Andrew Allen obtained sizable tracts of land.[9] This was only the last of a long series of land acquisitions by councillors in both colonies. A new councillor may have been wealthy before his appointment but, like his colleagues, he usually continued to acquire land when the opportunity presented itself.

With their interest in land, many of the councillors could likewise be classified as land speculators. From the one man operations, such as William Byrd II's Roanoke River

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[9]Nash, "The Free Society of Traders," PMHB, LXXXIX, 149-173. Pomfret, "The First Purchasers," ibid., LXXX, 137-63. See Chapter IX for the land holdings of the revolutionary war period councillors.

development of 100,000 acres to the large Greenbrier, Ohio, and other companies, the councillors were avid promoters of western lands for speculation. As a council, on one day in 1749, the Virginians granted to themselves and their associates over one million acres for speculative purposes. This is the best example of the councillors trying to use their position for their own benefit. The Pennsylvania councillors from the time of the Free Society of Traders were interested in large grants of land too. How profitable these large grants were for the individual councillor is uncertain.[10]

Besides these large grants, several councillors were intimately associated with the large proprietorships. John, Richard, and William Penn, junior, (1704-5) were all part of the proprietary Penn family and derived wealth from this connection. In Virginia the two Fairfaxes, as well as the Northern Neck agents, Philip Ludwell I, Edmund Jenings, King Carter, and Thomas Lee, all gained much wealth as the result of the vast proprietary grant of the various Lord

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[10] Byrd's Diary, 1709-1712, xii-xiii. July 12, 1749 EJCV, V, 295-8. Nash, "Free Society of Traders," PMHB, LXXXIX, 149-173. For a discussion of the impact of the land problem, see Chapter I, and for the informal connections which resulted, Chapter VIII.

Fairfaxes. Lee gained 30,000 acres of land by being a proprietary agent, and Carter also was able to acquire several large tracts of land in this way.[11]

The position of councillor required some visible signs of wealth. This is indicated by the number of magnificent mansions built in both Pennsylvania and Virginia. Still this frequently meant that in many instances the councillors overextended themselves, and they left it to their friends to work out the financial difficulties of the estates. The councillors, particularly in Virginia, were in financial difficulties most of their lives because of the acquisitive spirit. The best examples of this are William Byrd II and his son William Byrd III. William Byrd II, in 1711 upon hearing of the death of his father-in-law Daniel Parke II, decided to assume his debts in order to gain the land. This assumption had almost tragic consequences. More than twenty-five years later Byrd was still selling land and slaves in an attempt to pay off the Parke debt, and he never succeeded in getting all of the debts cleared. William Byrd II had some financial ability, but his son William Byrd III lacked any financial sense whatsoever. After years of

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[11]James F. Duhamel, "Belvoir," Columbia Historical Society Record, XXXV, 41. Hendricks, Lees of Virginia, 58-60. King Carter to Thomas Lee, July 5, 1721. Letters of Robert Carter, edited by Wright, 106-7.

insolvency and placing his property in the hands of trustees, William Byrd III, finally in 1771, sponsored a lottery to clear part of his debts. He advertised in the Virginia Gazette that he would sell by lottery 5500 acres of land, three tobacco warehouses, several town sites, a ferry, and 200 slaves. Robert Carter of Nomini rejoiced because of the hope of receiving money for some of the debts owed to him by Byrd.[12]

In the 1720's, Mann Page was another who overextended himself. A councillor at twenty-three, he died at thirty-seven in serious financial difficulties. In his attempts to enhance his social standing, he had started the construction of Rosewell, a gigantic Georgian house with marble floors. It was the most ostentatious house in Virginia. But the cost of the house ruined him financially, and upon his death his executors had to try to solve his financial problems. The executors of an estate are another key to the informal connections among the councillors. To be appointed an executor, one had to be a close friend because sorting out the financial affairs of an estate and paying the debts involved years of work and much financial outlay. John

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[12]Byrd's Diary, 1709-1712, xi. Robert Carter to Mrs. Anne Tasker, Jan., 1771. Robert Carter Letter Book, 1760-1771, on microfilm at CW Research Department.

Carter II, one of the executors of Page's estate, was still concerned with these debts more than ten years later. Finally, in 1747, John Grymes presented a bill to the council to enable Mann Page, junior, to sell entailed lands to pay his father's debts.[13]

In attempts to broaden their financial base, many of the councillors also participated in other businesses. Though being a planter and land speculator almost was synonymous, some extended themselves even more. William Byrd I, who inherited much of his land from his Uncle Thomas Stegg, participated in commerce, mining, milling, and the slave trade. He owned the slave ship William and Jane. His son followed him in most of these pursuits. The Indian trade was William Byrd II's particular venture, and he used his council position on several occasions to insure the continuation of this trade.[14]

This diversity of holdings brought the Virginia planters more political control. As landholders in several counties, they had political influence in several counties.

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[13]Thomas T. Waterman, The Mansions of Virginia, 1706-1776 (Chapel Hill, 1945), 111-2. John Carter to Micajah Perry, August 17, 1735; Carter to Alderman Perry, July 2, 1737, Diaries and Letters of Robert Carter, Alderman. April 3, 1747, EJCV, V, 227.

[14]Byrd's Diary, 1709-1712, 5, 7-8, Beverley Family of Virginia, compiled by McGill, 1. Thomas A. Glenn, Some Colonial Mansions (2 vols., Philadelphia, 1899), I, 19. Berkeley, "Robert 'King' Carter," 112.

As an executor of other councillors' estates, they were tied more closely to each other and to the councillor families. As men who had diverse business interests, their influence in economic affairs was felt throughout the colony. Further, with their financial interest in all of the different segments of the economy of Virginia, they used their power and influence to lobby for their concerns in Williamsburg and London.[15] And finally, a councillorship opened the door to new economic opportunities for the planter.

Not too much can be added about the Pennsylvania councillors who were land owners. Most of them controlled much land, but their names also appear at other places on the above chart of occupations. One of the larger occupation groups in Pennsylvania was the merchant-planters. This combination fused the two highest classes of Main's top ten per cent. Primarily this was a group of men whose first interest was in being a merchant but who had a significant quantity of land. This group of merchants was probably the richest of all in actual wealth and they provided much of the strong leadership in Pennsylvania early and in Virginia fairly late in the colonial period.

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[15]For a discussion of the informal connections developed by the executors of one man's estate see Chapter VIII. For election influence see JHB, 1702-1712, xxxi

In Pennsylvania, important men like Samuel Carpenter, the richest merchant in early Pennsylvania, owned 33,000 acres of land. His contemporary, Robert Turner, a first purchaser of 5,000 acres, was also a leading merchant. Likewise Isaac Norris, a merchant, owned more than 13,000 acres.[16] The holdings of a man like Carpenter show the extent of a councillor's involvement in Pennsylvania. A successful merchant in Pennsylvania, he owned mills in Bristol, Darby, and Chester; possessed houses and wharves in Philadelphia; and had acquired more than 30,000 acres of land. With all of his wealth, Carpenter sat for years on the Pennsylvania Council and was active as mayor of Philadelphia. Even with his large accumulation of property, he wrote to Jonathan Dickinson in 1705 that "Upon the falling off of trade and losses and disappointments in many ways. I have of late in my endeavors to sell what I can to pay off debts...."[17]

In the 1730's and 1740's, another important merchant-planter in Pennsylvania was Clement Plumstead. From his will, it is possible to ascertain that he owned land in Perth Amboy

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[16]Josiah G. Leach, "Colonial Mayors of Philadelphia," PMHB, XVIII, 421. Gregory B. Keen, "The Descendants of Joran Kyn, The Founder of Upland," ibid., V, 9-10.

[17]Carpenter to Dickinson, 1705, in Frank W. Leach, Genealogies of Old Philadelphia Families Published in the Sunday North American (3 vols.of scrapbooks), I, 47, HSP.

and Salem County, West Jersey; Kent County, Delaware; and Bucks County, Pennsylvania. Further, he owned the Tulpehocken Mine and part of the Durham Iron Works. In Philadelphia he possessed houses, lots, stores, and wharves. He also manumitted the Negro slaves whom he owned. To carry out his instructions in his will, Plumstead named William Allen, the proprietary leader in the assembly and a partner in the Durham Furnace, Samuel Powell, the mayor of Philadelphia; and Richard Peters, the Provincial Secretary, to be his executors.[18]

The Virginia planter-merchants made similar acquisitions of property. The leading merchant-planter family was the Nelsons of York. Although they had extensive holdings in land, they were primarily very successful merchants. Both of the Nelsons, Thomas and William, were president of the council and in part responsible for working with the London merchants in 1764 against the paper money acts of the lower house. When William died in 1772, he left £5000 sterling apiece to his wife and his oldest two sons, and £200 to his youngest son. This was the cast settlement exclusive of land and other properties.[19]

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[18]Will of Clement Plumstead, in Plumstead Papers, HSP.

[19]Clarence Keim, "Influence of Primogeniture and Entail in the Development of Virginia," (Unpublished Ph.D. dissertation, Chicago, 1926), 53. Evans, "The Nelsons: A Biographical Study of a Virginia Family in the Eighteenth Century," 135, 179-80.

A councillor who, perhaps even better than the Nelsons, illustrated this category was Philip Lightfoot (1733-48). He was not only one of the richest planters in Virginia, owning land in York, Charles City, Surry, Goochland, Brunswick, New Kent, and Hanover counties, but he had official residences in Yorktown, Williamsburg, and Sandy Point in Charles City County. As a merchant, he had extensive interests, and he even acted as an attorney for his friends. The Nelsons, Lightfoot, and Richard Lee I, who owned much land along with operating a store, are all representatives of this merchant-planter class. As in Pennsylvania, some of the wealthiest men fall into this category. As active councillors, they used their positions and their influence at home and abroad to protect themselves from laws passed by the lower house and by the English parliament.[20]

The most powerful group in the Pennsylvania council was the merchant class. Members of this economic category controlled Pennsylvania for most of its existence and provided the foundations for the establishment of the most significant families. From the very beginning, the Quakers who came over to Pennsylvania were oriented to mercantile

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[20] Lightfoot House (CW Research Report), I. Ludwell L. Montague, "Richard Lee, The Emigrant 1613(?)-1664," VMHB, LXII, 27-9, 32-5.

pursuits. They came from London, and the West Indies, and other colonies. Though they had other interests, these merchants were the dominant clique in Pennsylvania through the first fifty years.[21]

From the very beginning in Pennsylvania merchants became prominent rapidly. Phineas Pemberton listed his occupation as a grocer when he came to Pennsylvania; Samuel Richardson, as a bricklayer; Richard Hough, as a chapman; and Robert Turner, as a linen draper. Shortly after arriving they all had become merchants. The vertical mobility of these men in the early period was rapid, but gradually it slowed down after 1700. Men in mercantile careers went up rapidly, were elected to office, and some succeeded in establishing both themselves and their descendants in firm positions.[22]

Others, like Edward Shippen, Samuel Preston, Anthony Palmer, Humphrey Morrey, and Samuel Carpenter, came to Philadelphia already established with family connections in the West Indies and London. These men started higher on the economic scale because their business associations were already established. Moreover, they maintained their

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[21]See Appendix A

[22]"A Partial List of the Families Who Resided in Bucks County Pennsylvania Prior to 1687 With the Date of their Arrival." PMHB, IV, 223-30.

earlier momentum. Tolles in his Meeting House and Counting House clearly showed the numbers of these Quaker merchants and how they used their influence in both economic and political concerns. From this group, the ruling clique in the Pennsylvania council developed. According to Tolles, "The Quaker mercantile aristocrats thus exhibited a lively sense of political power in Pennsylvania considerably out of proportion to their numerical strength."[23] Further these men used their position on the council to foster new business arrangements. Logan wrote to Penn that he, along with Norris and Trent, were buying a ship for the coastal trade.

Some of the more important merchants other than those named as merchant-planters were Samuel Preston, a member of the council for almost forty years, Benjamin Shoemaker, the only German on the council in the eighteenth century, Edward Shippen, the first mayor of Philadelphia, and Abraham Taylor, the first colonel of the associators. These men, as well as other less prominent merchants, comprised a working majority on the council until almost 1750.[24] They demonstrated their power as a council clique on several occasions. From the early 1700's, Isaac Norris, Richard Hill, Samuel Carpenter,

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[23] Tolles, Meeting House and Counting House, 119.

[24] ibid., 118-9. See Appendix A and Chapter VIII for further description of the business relationships. See also Logan to Penn, Dec. 5, 1703, Penn-Logan Correspondence, I, 255. For a full discussion of informal business connections, see Chapter VIII.

Joseph Growden, and James Logan formed a powerful faction in in the political history of Pennsylvania. For example, according to Tolle, in 1718,

> four weighty Quaker merchants stalked out of the Council chamber in protest against his Keith's disregard of their prerogatives; actually, Keith was merely following the Charter of Privileges which had deprived the Council of its legislative functions.[25]

In the 1720's the merchant-councillors tried to block the paper money bills which would hurt them financially because paper money was a cheaper currency than sterling. After objecting to paper money, the councillor-merchants lost some of their prominence, and other groups started to attain more influence in the Pennsylvania council.

The merchants in both colonies were a much more tightly knit group than the planters. With their widespread connections they had influence throughout their respective colonies. The merchant-councillors also had other business interests. Several combined royal government posts with being merchants, others were Indian traders, ship builders, and one, Edward Digges, in Virginia even tried to establish a silkworm culture.[26] The merchants, particularly in Pennsylvania, but also in Virginia, lived together in towns, they intermarried, worked for common causes, formed business

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[25]Tolles, Meeting House and Counting House, 19.

[26]Morton, Colonial Virginia, I, 214.

partnerships, participated in local politics, and had time to become the most culturally oriented group on the council. To a merchant, particularly in Pennsylvania, a councillor's chair brought new business connections.

The next most important occupation among the councillors was the legal profession. Tolles does not give them much standing in Philadelphia society, and Main tries to show that the public berated them. Nevertheless, the councillor-lawyers were an important segment of the political structure, particularly in Pennsylvania.[27] Also a councillorship was important to them because of the additional business which it generated. Such men as Benjamin Chew, John Guest, the Hamiltons, David Lloyd, Roger Mompesson, William Logan, Edward Shippen, junior, and James Tilghman were all trained lawyers. Of the fourteen councillors who served on the Pennsylvania Council during the last ten years of its existence, six were distinguished and well-trained lawyers with European educations.

From almost the first, Penn had deliberately attempted to obtain trained lawyers for the government. David Lloyd was perhaps the first and most ably trained. Shortly after Lloyd reached the colony, William Clark arrived, and he too was a well-trained lawyer. In the early 1700's, John

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[27] Tolles, Meeting House and Counting House, 122. Main Social Structure of Revolutionary America, 203.

Guest, Roger Mompesson, and Thomas Story were appointed to the council. Guest served simultaneously as Chief Justice of the Pennsylvania Supreme Court, as the presiding judge of the Philadelphia County Court and as a Justice of Chester County. Mompesson was an English trained lawyer who was a member of several courts and an admiralty judge at the same time.[28]

The lawyers, like other groups of the councillors, also expanded into other economic areas. Penn, notwithstanding his benefices to Story, balked at his cousin Robert Assheton asking for land. Penn wrote that "For my Cos. Ashton, Charity begins at home, & tho I would oblige him, yet I will never part with 4 or 500 acres of land, that is worth half as many thousands, to give but 500 acres to his & his familys pretentions."[29]

Despite his objections to one man's pretensions, other lawyer-councillors succeeded in acquiring land, businesses, mills and furnaces. Jasper Yeates was not only a lawyer but a merchant, shipper, miller, and owned several granaries and a bakery. Most of the lawyers did quite well in the acquisition of property. By the Revolution, Benjamin Chew had amassed a sizeable estate, and Andrew Allen had

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[28]Scharf and Westcott, History of Philadelphia, II, 855. Edwin Wolf III, "The Library of a Philadelphia Judge, 1708," PMHB, LXXXIII, 180.

[29]Penn to Edward Shippen, January 10, 1702/3, Gratz Collection, Governors of Pennsylvania, HSP.

land worth over £126,000.[30]

One of the principal clients of these Pennsylvania lawyers was the proprietary family. Lawyers from Andrew Hamilton on received substantial retainers from the Penns to do their legal work. The Penns had actually recruited Hamilton and sent him to England to be admitted to the bar.[31] Later both Benjamin Chew and James Tilghman did much of the legal work for the proprietary even after the Revolution. Chew complained on more than one occasion that "50£ was due to me for my Annual Salary from the Proprietors on the 1st of January last."[32]

By hiring councillors as proprietary lawyers, the Penns tied the allegiance of these men to the proprietary interest. The lawyers who have been named after 1750 fought many of the battles preserving the proprietary interests. These lawyer-councillors because of their retainers were more proprietary than public servants. This is an excellent example of the business these men acquired in part as a result of their councillorships.

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[30]Collection of the Geneological Society of Philadelphia, 167, HSP. Colonial Families of Philadelphia, edited by Jordan, 400-1. See Chapter IX for land holdings.

[31]Konkle, Life of Andrew Hamilton, 4-14.

[32]Benjamin Chew to Richard Peters, March 11, 1758, in Dreer Collection, American Lawyers, HSP.

Active lawyers among the Virginia councillors were almost non-existent. Though a number had legal training from one of the Inns of the Court, few councillors actively practiced law because of their membership on the General Court. Since the most lucrative fees resulted from General Court cases, a councillor would have been unable to take such cases unless he disqualified himself. Because of this fact, only one councillor seems to have made his living as a lawyer. This was Henry Hartwell, friend and travelling companion of Blair, with whom he wrote The Present State of Virginia and the College. Hartwell, despite his council position, never returned to Virginia after his trip to England with Blair in 1697. As has been noted above, Philip Lightfoot practiced the law as an avocation with some of his clients being other councillors. Unlike the Pennsylvania Council, which had an increasing number of lawyer-councillors after 1750, the Virginia Council did not because most of the prominent practicing lawyers in Virginia stayed in the House of Burgesses.

Doctors were another well-represented professional group. Although in neither colony was their number great, many of the doctors who were councillors usually had prominent positions. Obedience Robins was the first man on the Virginia council to be listed as a doctor or surgeon.

Robins was elected to the council in 1655 and served into the early 1660's. Little information is known about him. The same can also be said for Henry Whiting (1691-4) who was a doctor and a son-in-law of Peter Beverley. He served briefly on the council between 1691 and 1694. Neither of these men made much of an impression on the council.[33]

The most important doctor on the Virginia council was William Cocke. He was an old school friend of William Byrd II and private physician to Governor Spotswood. Through this latter connection, Cocke was first appointed Secretary of State and then made a member of the council. After he had served competently for eight years, he collapsed of a stroke and died on the bench of the General Court. While serving as a councillor, he collected more than 11,000 acres of land.[34]

In Pennsylvania, several doctors were quite important. Thomas Lloyd, Nicholas More, and Griffith Owens of the early Pennsylvania Council were all listed as doctors. Lloyd, of course, was the leader of Pennsylvania for the first ten years. A Welshman like Owen, Lloyd received his medical training in England and migrated to Philadelphia in 1683. More, another early settler and president of the Free

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[33]Appendix A

[34]Hugh F. Rankin, Criminal Trial Proceedings in the General Court of Colonial Virginia (Williamsburg, 1965), 52.

Society of Traders, was a trained doctor too. He, like Lloyd, participated in so many governmental functions that he had little time for the practice of medicine.[35]

Later in the eighteenth century, two outstanding physicians were appointed, Thomas Graeme, the son-in-law of Governor Keith, and Thomas Cadwalader. The former, a Scotsman, served only for two years on the council and then quit in 1727. Even though he ceased being a councillor, Graeme maintained an active role in the government. For years he met every immigrant ship to check for infectious diseases.

The most famous of the doctor-councillors and also one of the most public-minded individuals in Philadelphia was Thomas Cadwalader who served on the council from 1745 to 1775 and then helped to establish medical facilities for the American army. Active in Philadelphia politics, he was also concerned with various philanthropic enterprises, in particular the Philadelphia hospital and the college. The career of Cadwalader provides convincing evidence that a doctor was an important element in the society of Philadelphia.[36] These medical men who were councillors, were responsible members of the society. Additionally,

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[35]Appendix A

[36]Packard, "Thomas Cadwalader," DAB, III, 400. See also Chapter IX "Two Germantown Letters of 1738." Translated by Waldman Westergaard in PMHB, LXI, 13-4.

these doctor-councillors pursued other economic interests and took an active interest in philanthropic organizations of the day.

Ordained clergymen and practicing ministers made up an important professional class represented on the councils of both colonies. A political appointment for a clergyman was an opening to wealth and position which was not normally available to men of the cloth. As a parish rector in Virginia, a clergyman received £160 per year. By attaining the position of commissary-councillor, he more than trebled his income, and he was also able to get in on the division of lands. Of course, there is a difference between the formally ordained clergy of the Anglican church who received salaries, and the ministers of the Quaker faith who did not. In Pennsylvania during the early years, there were several practicing Quaker ministers on the council. James Harrison, a relative of Penn; Thomas Story, the lawyer-minister; William Yardley (1688-93), a farmer-minister; and Griffith Owen, a lawyer-doctor-minister, were practicing Quaker ministers who had other sources of income. Although these men all practiced their faith, none had an important impact on colonial politics.[37]

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[37]Appendix A.

The most important Anglican cleric in Pennsylvania politics was Richard Peters, the provincial secretary. A man who had been more or less exiled to Pennsylvania because of past amorous adventures, Peters for almost forty years was the mainspring of the proprietary faction. For most of these years, he was a frequent correspondent of the Penns and an influence on politics. As rector of several churches and secretary of the land office, Peters used his power to influence and to direct the proprietary faction. In return, he was able to become quite wealthy.[38]

Five Virginia ministers who served as commissary-councillors were a factor in colonial politics for most of the eighteenth century. Because of their positions as commissary-councillor-president of William and Mary and usually rector of Bruton Parish, successive ministers on the Virginia council exercised considerable power. Coupling their English influence with the weight of the pulpit and the direction of the convocation of the Virginia clergy, the men who held this position were important individuals on the Virginia council.

Blair, who has been described before, was the most powerful of all. Combining influence with longevity, he was a factor in Virginia politics for more than fifty years.

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[38]Judge Richard Peters to William Rawle, September 22, 1825, PMHB, XXIII, 205-9.

A wrecker of governors and an acquirer of property, Blair established himself as a man to be feared. By the time of his death, he had acquired enough property to leave his nephew and future council president, John Blair, the sum of £10,000.[39]

Blair was followed by the two Dawsons, William and Thomas, who served as commissary until 1761. In the early part of the 1770's, James Horrocks was appointed and then was succeeded by John Camm. These last two minister-councillors spent much of their time attempting to create interest in the establishment of an American episcopate which would have brought them additional wealth. Horrocks was the main instigator of this maneuver. One of Horrock's friends wrote upon his appointment that

> Mr. Horrocks you would hear sometime ago was appointed one of his majesty's counsellors. So that family, you see are dignified. He was before a dignified clergyman. These things will happen in this country. Many years might have elapsed before this in all probability had happened in his own country-- but you are not judges of merit-- ye Britons are a corrupted-- I am sorry to say it-- a very corrupted People.[40]

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[39] E. G. Swen, "John Blair," DAB, II, 337.

[40] Robert Atkinson to Robert Burns, July 30, 1770. VMHB, XV, 349.

Horrocks, combining all of these positions, had a total salary of more than £500 per year. After his journey to England and subsequent death, Camm took up the fight for the bishopric. He, too, had a salary in excess of £500. With the coming of the Revolution, Camm lost everything because of his well-known Tory sympathies. The Anglican minister who was the commissary-councillor-president should be placed at least in Main's second highest category from the standpoint of his salary alone.[41]

The ordained clergy of Virginia and Pennsylvania who served as councillors fitted into a unique position. Because of their dual positions, they were able to accumulate considerable wealth and influence. With this wealth and influence, they acted not only as defenders of the clergy but also as successful politicans. But because of holding a position dependent on outside influences, these men were not always completely accepted by either the other councillors or the governor. The Quaker preacher-councillors did not achieve a similar position of real prominence, although they did use their position to foster the Quaker control of the legislature for awhile.

British placemen also served on the council. These were jobs held by a royal commission or by the direct

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[41]"Account of Salaries in 1770," W&M (1), VI, 188. "Sketch of John Camm," ibid., XIX, 28-30.

appointment of the proprietors. Although royal civil servants only made occasional appearances on the roster of the Pennsylvania council, William Dyer, Roger Mompesson, and William Assheton all held royal commissions. Dyer, the first surveyor-general of the King's customs in America, appeared in Pennsylvania during the summer of 1685. Fifteen years later Mompesson spent some time on the council because he was the judge of the Admiralty Court for that district, as was Assheton later.[42]

Most of the Pennsylvania civil servants made councillors were appointed by the Penns. James Logan, Richard Peters, and Lynford Lardner all held proprietary offices before they were appointed to the council. All three were initially proprietary servants who made a place for themselves. Particularly Logan got into land speculation and Indian trading as a further means of income.[43]

In Virginia, the surveyor-generals of customs for the Southern District, Robert Quary, Richard Fitzwilliams, George Phenny, Robert Dinwiddie, and Peter Randolph, were

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[42]Bronner, William Penn's "Holy Experiment," 98. Harold D. Eberlein and Horace M. Lippincott, The Colonial Homes of Philadelphia (Philadelphia, 1912), 203-7.

[43]Tolles, James Logan and The Culture of Provincial America, 89-90.

government servants entitled to sit on the council. Since these men earned more than £600 per year and their influence was external to the local colonial scene, they were not always accepted with relish by the councillors. Several of the surveyor-generals were in trouble in both Pennsylvania and Virginia. Quary, the most interesting one of this group, created difficulties with William Penn for almost twelve years. Fitzwilliams rankled Governor Gooch. Phenny was censured by the Virginia House of Burgesses and Dinwiddie irritated the rest of the council by his demands. Dinwiddie and Randolph were both also interested in land accumulation.[44]

Besides these major occupations, there were a number of men who pursued other kinds of economic activities. Several of the councillors were ship captains. John Finney (1702), Anthony Palmer, and Joseph Turner (1747-75) spent parts of their lives at sea. Palmer and Turner returned from the sea to become landlocked merchants and later councillors. Finney left the council to return to the sea.

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[44]Penn to Logan, July 28, 1702, in PMHB, XXX, 303. For a complete discourse on the Quary difficulties, see the James Logan Papers, HSP. "Personal Items, 1746-9," W&M (1), XX, 15. See also Chapter III, for discussion of the Dinwiddie problems.

William Dandridge of Virginia was originally a sea captain and became a prosperous planter. During the War of Jenkins' Ear and then the Cartegena expedition, he went back to sea in command of a British naval vessel.

During the first twenty years of the Pennsylvania council, due in part to the elective nature of the house, there were a number of different vocations represented. Early in the life of the council, William Frampton (1685-7) and Anthony Morris established breweries while John Brinckloe (1690-3) owned and operated an "ordinary." Others such as Caleb Pusey owned mills. Samuel Richardson, before he became a prosperous merchant was a bricklayer, and Christopher Taylor (1683-6) was a schoolteacher. The representatives of such occupations only served on the council for the first few years of its existence before the major professions which have been discussed became dominant. After the society matured, merchants, lawyers, doctors, and planters controlled the Pennsylvania council.[45]

This discussion of the occupations of the councillors demonstrates that many of them from both colonies have to be

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[45]Scharf and Westcott, History of Philadelphia, II, 854, Nash, "Free Society of Traders," PMHB, LXXXIX, 159. September 7, 1685, MPC, I, 160. James Claypoole to Edward Claypoole, December 2, 1683, James Claypoole Papers, HSP. Markham to Penn, August 22, 1686, in Nash, "The First Decade in Pennsylvania...." PMHB, XC, 331.

classified in the upper ten per cent according to Main's standards. The councillors were well-to-do, whether they were merchants, planters, lawyers, doctors, or clergymen. They knew how to acquire wealth, and certainly most of them used their positions to further themselves financially.

Of all the different economic sections represented, only the governmental officials and the clergy seem to have been resented internally. All of the other groups seem to have meshed fairly well. But those whose living was based on an external power were suspect. And so, though James Blair, James Logan, Richard Peters, and Robert Dinwiddie rose to prominent positions, the surveyor-generals, the commissaries, and Penn's personal retainers seem to have been resented on occasion. Thus we can see that the ruling elite of the council was wealthy and that their money was usually based on American business enterprises. From this we can determine that, economically speaking and from the standpoint of economic classes represented, a high percentage of the councillors were men of acquisitive nature, wealthy, jealous of their wealth, and prone to accept and work with those of similar economic positions. The council, constitutionally speaking, was at the pinnacle of the governmental structure and the councillors, financially speaking, were at a similar pinnacle of the economic strata.

CHAPTER VI

OFFICE HOLDING BY COUNCILLORS, 1660-1776

When describing the process of political succession in Virginia, Charles Sydnor, in his valuable Gentlemen Freeholders, wrote that a young male member of a prominent family progressed in political education from being justice of the peace through the vestry and certain county offices to serve as a burgess and finally to the council.[1] Although the progression was not actually this clear cut in either Virginia or Pennsylvania, the councillors before, during, and after their tenure at the council board held a vast array of offices in the colonial system. Ranging from being county sheriff or county justice of the peace to being a member of the vestry, an assemblyman, speaker, chief justice, and governor, the councillor in Virginia held on the average five major offices and the Pennsylvania councillor at least six.

Since the steps of promotion were not as ordered as Sydnor indicated, the jobs held by the councillors throughout their political careers will be analyzed. Some jobs

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[1] Sydnor, Gentlemen Freeholders, 93-93, 112-20.

usually came at a particular stage of a man's political life. Positions such as minor judicial appointments, membership in the lower house, county offices, and church offices came before appointment to the council. There were certain jobs in Virginia like the position of attorney-general which a man had to give up when he was sworn as a councillor. Since the Attorney-General argued cases before the General Court which the councillors comprised, it was impossible for a man to be a councillor, court justice, and attorney-general at the same time. After 1699, the positions of naval officer and collector fell into this category, too because of the Board of Trade's new instructions to Nicholson in that year.

Once a man became a councillor, he normally held simultaneously a senior judicial position, the rank of colonel in the militia, and other major colonial offices. For those men particularly in Pennsylvania and a few in Virginia who left the council there was a strange collection of jobs which they assumed. Two became governors, a number went to the lower house, and several assumed judicial and county positions. The sequence of each man's political office holding will be discussed in turn.

Many councillors started their public careers by holding offices in the county system of Virginia and the

POSITIONS HELD BEFORE COUNCILLORSHIP

	County & City	Lower House	Judicial	Vestry	Colonial
Virginia	54	94	0*	68	35
Pennsylvania	36	40	38	10	27

*Most of the Virginia judicial positions were listed under county offices held.

city or county government of Philadelphia. A glance at the list of councillors on the Charles City County commission of peace shows the total involvement of the councillors. In nine years between 1655 and 1664, seven future councillors served including Stegg and his nephew William Byrd I, Abraham Wood, Theodrick Bland, Henry Perry (1665-71), and the two Hills.[2]

Although serving on the commission of peace was the office that a good number of councillors held first, others were county clerks, and junior militia officers. Several of the more distinguished future councillors like Edmund Jenings, Christopher Wormeley, and William Randolph served as sheriffs. One future councillor, Robert Porteus, was fined because he refused to serve as sheriff, although he

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[2]"Early Records of Charles City County," W&M (1), IV, 167. Wesley F. Craven, The Southern Colonies in the Seventeenth Century, 1607-1689 (Baton Rouge, 1949), 266-69. For a full discussion of the abolition of some pluralism in 1699, see Chapter I.

later changed his mind. Others like Christopher Robinson, Richard Lee I, and William Beverley served for years as clerk of the county. In these instances, the future councillors learned the routine of government by performing the duties of these positions. Since the offices were appointive, influence, both family and otherwise, was used to secure the appointment.[3] Most of these men obtained the offices shortly after they reached their majority. Of the ones mentioned above, Edward Hill II was first appointed justice of the peace at twenty-two, Edmund Jenings and William Fitzhugh became sheriff at twenty-one, and William Randolph at twenty-two. Clearly the young men of prominent families received their appointments very early in their careers.

Many Pennsylvania councillors held numerous city and county offices too. The year 1700 was a pivotal date in the office-holding practices in Pennsylvania. Before that date because of the talent shortage, most of the councillors held county judicial positions almost simultaneously with being a councillor. Following the incorporation of Philadelphia in 1700, the number of offices multiplied, and it

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[3]English Duplicates of Lost Virginia Documents, compiled by des Cognets, 1-4. W. G. Stanard, "Major Robert Beverley and His Descendants," VMHB, III, 169-70. The Beverley Family of Virginia, compiled by McGill, 117-18. "Virginia Gleanings in England," VMHB, XIV, 174. Hendricks, Lees of Virginia, 14.

became common practice for the councillors to hold many of these positions. There were positions such as coroner, recorder, treasurer, city councilman, alderman, and mayor to be filled. Over the years, many councillors held these positions and in particular the last three named. At least nineteen of the post-1700 councillors held the position of common councillor. Like the commission of peace in Virginia, many of the future councillors became common councillors before they were thirty. William Logan at twenty-five and Edward Shippen, junior, at twenty-six were the two youngest.[4] Besides these administrative functions, many of the Pennsylvania councillors were also appointed as justices of the peace in the counties, and they served on the various courts in Philadelphia.[5]

In addition to office holding on the local level, the most important service rendered by the future councillors was in the lower house. In Virginia, at least ninety-four out of 130 councillors served in the lower house. Although many of the councillors served only one or two terms, some of the men were involved for many years as burgesses. Future councillors held important committee posts and worked hard

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[4]Scharf and Westcott, History of Philadelphia, III, 1707.

[5]Ibid., II, 855, 1561-73.

for the various factions of the house. In the sixty year period between 1690 and 1750, twenty-five future councillors have been identified as leaders in the house, because of their positions on important committees and/or holding the speakership.[6]

The most important position in the lower house was the speakership. Thirteen future Virginia councillors served as speaker of the lower house between 1642 and 1720. Their years of service covered more than twenty-five per cent of the period. Peter Bevereley served as speaker longer than any other future councillor because he held the office for nine years.[7]

Other councillors who have been identified as important leaders in the burgesses and who later became important in the council were Nathaniel Harrison (1713-27), John Robinson senior (1720-49), John Blair (1744-1770) and

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[6]Andrew K. Printz, "Sir William Gooch in Virginia: The King's Good Servant" (unpub. Ph.D. Dissertation, Northwestern, 1963), 124-26. Ray Hummel, "The Virginia House of Burgesses, 1698-1750" (Unpub. Ph.D. Dissertation, Nebraska, 1941), 175. Greene, The Quest for Power, 467-74. The members of the council who did not have the opportunity to serve in the lower house were the commissaries and the surveyor-generals of custom from outside the colony.

[7]Stanard, The Colonial Virginia Register, 63-102. Stanard, "Major Robert Beverley and His Descendants," VMHB, III, 169-70. July 10, 1700, EJCV, II, 93. "Speakers of the House," VMHB, XIV, 408-09.

Thomas Nelson (1749-76). In spite of the fact that the council and the burgesses fought over many issues, before 1750 several of the important burgesses became councillors. Because they were men of like minds politically, the transition caused hardly a ripple. After 1750, scarcely an important burgess became a councillor, and those burgesses who did so had served only brief terms in the lower house. Many of the councillors after 1750 were like John Page III and William Byrd III, who were burgesses for two years, and George William Fairfax (1768-74), who served three years. John Taylor II does not appear to have been a burgess, and Robert Carter in fact could never win an election.[8]

Notwithstanding the decline in the number of burgesses moving from the lower house to the upper chamber, the experience received by most of the ninety-four councillors who had been burgesses was invaluable. During their years as burgesses, they learned the practical aspects of politics, how to maintain their family prerogatives, and how to form cliques and political alliances. The lower house in Virginia was the most important single educational factor in the growth of the political knowledge of a Virginia councillor.

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[8]See Appendix A.

Councillor membership in the Pennsylvania assembly was different than in the Virginia lower house. Several factors help to explain this difference. First, it is likely that an able man would have preferred to bypass service in the lower house before 1701 because the real focus of power was in the upper house. Second, after 1701, with the shift of the council to a proprietary orientation and the increasing division in Pennsylvania between the council and the assembly, most of the Pennsylvania councillors received their training in the court system and city government offices. Yet some forty Pennsylvania councillors had served in the assembly before entering the council. Such important councillors as the Growdens, Edward Shippen, Clement Plumstead, Jonathan Dickinson, and others participated in colonial affairs first in the assembly. Others, like Andrew Hamilton served in the Maryland Assembly before moving to Pennsylvania.[9]

An area of training which was almost exclusively Virginian was vestry politics. This is one of the steps which Sydnor emphasized. With the division of Virginia counties into parishes, many of the councillors served as vestrymen. Because it cannot be determined when many of the men joined the vestry, it is impossible to ascertain which

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[9] Ibid.

were appointed before they became councillors. Yet, based on the evidence available, it is obvious that a high percentage of the more than sixty councillor-vestrymen were appointed to the vestry when they were still young.

Most of the important citizens of the parish were represented on the board. In several parishes, including Bruton, there was always a councillor, several burgesses, and other important figures serving at the same time. With the mixing of such personalities, the local vestry meeting was probably as important for training as the commission of peace or a legislative committee in the burgesses.[10]

Once again a comparable situation did not exist in Pennsylvania. Most of the ten Anglican vestrymen were appointed after they joined the council. Further, participation in the annual meeting of the Friends church was not really comparable to Virginia vestry service. Although most of the future Quaker councillors were active in the meetings, and in some respects practical politics were practiced there, this training was still different from vestry politics in Virginia.

A fairly large number of councillors had held other major colonial offices before they were appointed to the council. Of course, the holding of several of these po-

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[10]See Chapter IV.

sitions, such as secretary of the colony in Virginia, customarily led to appointment as a councillor when a vacancy occurred. Also, after 1699, future councillors held certain positions such as a naval office and a collectorship which they relinquished when they became councillors. Thus collectors like Philip Ludwell II, Nathaniel Harrison, and John Blair held their positions prior to councillor service.

Another such position was that of attorney general. Three of the early councillors, Richard Lee I, Peter Jenings, and Edmund Jenings, held this position prior to appointment.[11] When Edmund Jenings became a councillor, a dispute arose which was recorded in the Randolph manuscript. In response to a question of the governor, the councillors replied that "it is not agreeable with the said Jening's place of Council to be Attorney General and he that might lay it down without their Majesties leave as was formerly done by Col. Peter Jenings . . . ."[12] Also future councillors served as auditors, receiver-generals, judges of admiralty, and escheator generals before they became councillors. By holding such offices, a Virginian became quite well-known in England, since some of the jobs entailed

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[11]"List of Colonial Attorney-Generals," W&M (1), X, 165-66. Aug. 15, 1728, EJCV, IV, 182.

[12]Randolph Manuscript in EJCV, I, 529.

considerable correspondence with English superiors. The correspondence of William Blathwayt, the auditor-general for many years, shows how extensive this involvement was.[13]

In Pennsylvania, the colonial positions usually involved either a proprietary or a revenue function. The secretary of the proprietary land office was the first job held by James Logan and Richard Peters. Others were commissioners of property and register-generals of wills. For the collection of revenue in Pennsylvania, some of the future councillors were receiver-generals, treasurers, and collectors of the various ports of Pennsylvania and the lower counties.[14]

SIMULTANEOUS OFFICE HOLDING BY THE COUNCILLORS

	County & City	Lower House	Judicial	Vestry	Colonial
Virginia	19	0	129	?	66
Pennsylvania	31	14	294	?	47

The accumulation of offices which was started by the councillors before they were appointed to the council was accelerated after they had attained their pre-eminent

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[13] Jan. 23, 1705, ibid., III, 70-71.

[14] Scharf and Westcott, History of Philadelphia, III, 1804.

position at the council board. A number of judicial positions were given to the councillors both in Virginia and in Pennsylvania. In Virginia, by the time they were promoted to the council, most of the councillors had graduated from the commission of peace. The only two judicial offices which Virginia councillors held were a position on the general court and the court of oyer and terminer. The former position automatically went to a new councillor.

Just the opposite situation was true in Pennsylvania where the councillors continued to fill judicial positions at all levels. There were eight different courts in Pennsylvania which had through the years at least ten active councillors represented on each body. The highest court in Pennsylvania was the supreme court. Unlike Virginia, no councillor automatically became a member of this court. Some councillors were never appointed to it, and some non-councillors were. In the period from 1684 to 1776, eleven councillors served as chief justice and twenty-five as associate justices. Councillors usually comprised a majority of this court until about 1750. After that time, only councillors Lawrence Growden and Benjamin Chew were appointed. Despite the fact that non-councillors served, fourteen out of seventeen chief justices and thirty-three of forty-two associate justices had been councillors at some time.[15]

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[15] Ibid., II, 1558-59.

Another Pennsylvania court which was only in existence for sixteen years and caused a constant source of irritation was the Court of Chancery, created in 1720 and abolished in 1736. In this period, twenty councillors served as masters and one as a solicitor. Since this court was so heavily involved in the politics of the times, it was in constant turmoil and abuse was heaped on those who served. This court handled all cases in equity having to do with an extension of the common law principles to civil cases.[16]

The city and county courts also consumed a good deal of the time of the Pennsylvania councillors. From the very beginning of the colony to the Revolution, councillors appeared on the list of the commission of peace in most of the counties. On the commission list for 1690, there appeared the names of twenty-nine councillors distributed among all the counties. When councillors William Southeby and William Frampton told the council in 1685 that several men were not serving who had been appointed to the Kent County commission of peace, the two of them were promptly appointed.[17] After 1750, the councillors were automatically added to the commission of peace for each county. Thus, in 1764, supposedly the eleven active councillors were appointed

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[16] Ibid., 1560-70.

[17] Jan. 9, 1685; Jan. 3, 1689/90, MPC, I, 165, 320-21.

justices of the peace in all of the counties.[18]

The Pennsylvania councillors were at least in theory members of the courts throughout the colony and not just localized around Philadelphia. How much influence they had in these outlying areas is hard to judge. Yet the Pennsylvanians were even less concerned apparently about conflict of interest than the Virginians. As a result of the pyramiding of judicial offices and other positions of public responsibility, the Pennsylvania councillors were frequently involved in the complex interplay of diverse forces. However, on only one occasion was conflict of interest emphasized. On the renewal of the commission of Robert Assheton for the supreme court, a discussion arose over the number of offices he held. Though Assheton declined the recommissioning, it was the unanimous opinion of his fellow councillors that

> His Office of Recorder fully invested him with all the Powers of a Justice of the County & City of Philadelphia, to all Intents & Purposes whatsoever, and that by Vertue of his said Office he might legally discharge all the Powers & Duties of a Justice . . . Only he was advised, that he should not sitt on the Bench judicially with the other County Justices, because as he is Clerk of the Peace & Prothonotary of the Court of Common Pleas, some umbrage might be taken at his acting in both these Station.[19]

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[18]Oct. 17, 1764-Nov. 19, 1764, ibid., VII, 200-06.

[19]Sept. 15, 1726, ibid., III, 273.

The judicial positions of the Pennsylvania councillors ran into the hundreds while they were active. With this type of involvement, the Pennsylvanians were concerned with most of the legal activities of the colony and they were known and able to use their connections to further the proprietary as well as their own personal goals.

Besides the judicial positions in both counties, the councillors also assumed a number of other city and county offices. In Pennsylvania the positions held were mostly city offices in Philadelphia, and in Virginia they were mostly militia commissions. A Virginia councillor was the most important single political figure in his area. Along with being made councillor, the Virginian usually became commander-in-chief of his county militia and maybe some of the neighboring counties' units as well. This system lasted in Virginia until the numbers of counties and particularly the distances from the councillors' plantations made it difficult to maintain such an arrangement. Until it was weakened due to rapid expanxion, the council could in theory be turned into a council-of-war, because the governor was the commander-in-chief of the whole Virginia militia. This position also provided the councillors with the title of colonel which they used enthusiastically when they greeted each other.

In the Virginia county militia list of 1699, nineteen past, present, or future councillors were listed. Also, it should be noted from this list that, though a number of non-councillors were commanders-in-chief of a county, only councillors held the title of full colonel.[20] It was not until well into the eighteenth century that the non-councillors were promoted higher than lieutenant-colonel so a councillor always had the pre-eminent position until that time. The honor which these men felt upon being made colonel is aptly demonstrated in William Byrd II's comment that "the governor mustered them all the while and presented me to the people to be their colonel and commander-in-chief."[21]

City offices were characteristic only of Philadelphia councillors although John Blair, a Virginian, was elected mayor of Williamsburg in 1751. This was the major city office to which a Pennsylvania councillor was elected after he became a councillor. Eleven councillors after 1701 served as mayors of Philadelphia. Because of the problems involved in serving as mayor, several of the councillors declined the office and were fined for non-interest in the

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[20]June 3, 1699, EJCV, I, 443-45.

[21]Sept. 21, 1710, Byrd's Diary, 1709-1712, 233.

government.[22] Except for such a high ranking office as colonel of the militia or mayor of Philadelphia, the city and county offices for the most part were generally held by younger men before they achieved the prominence of the council.

These were the normal positions that went to the councillors, but there were also special colonial commissions. In the 1720's and 1730's, several of the councillors were appointed to special boundary commissions. Through the efforts of William Byrd II, Richard Fitzwilliams, William Dandridge, and "King" Carter, both the North Carolina and Fairfax land boundaries were established.[23] Byrd, in commenting on his second appointment to a boundary commission in 1737 when he was sixty-three, reported that "I suspect the Council has done me this honour, with the wicked design of wearing the oldest out first, & making a vacancy near the Chair."[24]

The Pennsylvania councillors received a good number of proprietary colonial offices after they had been sworn.

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[22]Scharf and Westcott, History of Philadelphia, III, 1719, 1738, 1767.

[23]Byrd to Lords of Trade, June 25, 1729, in Williams Papers, VHS. August 11, 1736, EJCV, IV, 374.

[24]Byrd to Col. Spotswood, Dec. 30, 1735, VMHB, XXXVI, 211.

Fourteen of the most prominent early councillors became commissioners of property, who saw to the dispersal of land to newcomers. Of course, they also had the opportunity of obtaining good property for themselves. Other of the councillors received such positions as collectors of customs, attorney general, the register general of deeds, and so on. Although the accumulation of major colonial offices was not as great in Pennsylvania, it should be noted that the Pennsylvania governmental system was not nearly as complexly structured as the Virginia system. So in proportion the Pennsylvania councillors probably received as many of the higher offices as did their counterparts in Virginia. Further, offices in Pennsylvania passed from one councillor to another just as in Virginia. Thus John Eckeley succeeded James Claypoole as register general, and James Logan succeeded Thomas Story as keeper of the seal.[25]

The position to which all of the important councillors aspired was that of president of the council. In both colonies after 1700, the councillor with the longest tenure was designated president and always presided in the absence of the governor. The position of president aroused much jealousy because of the privileges and wealth which went with being the oldest member. On one occasion Governor

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[25]August 18, 1687, MPC, I, 209. Colonial Families of Philadelphia, edited by Jordan, I, 101.

Nicholson warned

> Coll. John Lightfoot that he hears that the said Coll. Lightfoot takes upon him the name & title of President of her Majestys Council . . . and commanded him in ye Queens name not to use that Title for the future There Being no such Person in this County except in his Excellencys absence.[26]

There were always councillors below the president coveting his position. In 1740, William Byrd II complained because

> the administration is fallen into the Hands of a Clergyman, who by liveing 89 years is the Eldest member of our Council, I am next to the old gentlemen, but cant dispute it with Him, because the Kings Instruction, is express . . . the first of the Council shall take the Government into His hands. Indeed the Country is a little dissatisfied, with being Governed by an Ecclesiastick, and the rather because of his Great age, & Infirmity, His understanding is still good, but he is so deaf, that He is incapable of one part of his Duty, which is to sit as Chief Justice in our Supream Court of Judicature. This I am forct to perform in his stead, being next Oars, while he now and then nods in his Chair.[27]

This brings up an important facet of the presidency. Hardly ever was a man capable of serving when he became the president. Nicholas Spencer, Edmund Jenings in 1726, James Logan, John Custis III, and John Blair retired or were retired to avoid further service. Others, like Lewis

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[26]Dec. 16, 1704, EJCV, II, 418.

[27]Byrd to Major Otway, Feb. 1740, in VMHB, XXXVII, 29-30.

Burwell III and Anthony Palmer, were partially incapacitated when they served. Only on rare occasions was a vigorous man like Thomas Lloyd, Edmund Jenings in 1706, or William Nelson president.

Nevertheless a number of the councillors did serve as president and did receive compensation for their services. The periods of service of the president as governor varied in the colonies from a few weeks for those who temporarily replaced a governor, as William Fairfax did in 1757, to the two-year term of James Logan and the four-year rule of Edmund Jenings. Besides being acting governor, the president presided at all council meetings when the governor was not present.[28] If the governor died in office, the president announced the death and automatically assumed power without question. Thus William Nelson wrote:

> By the resignation of Att. Blair, on account of his great age & Infirmities the Government hath devolved upon your humble Servant: who doth not feel in himself much Capacity. . . . However I flatter myself that I shall not stray far from the Line of my Duty.[29]

When a councillor became the acting governor, he assumed all of the titles of the office. He was "The Honor-

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[28]See Chapter VII. Jenings was forty-seven in 1706 and sixty-seven in 1726.

[29]William Nelson to Samuel Athawes, Dec. 6, 1770, in William Nelson Letterbooks, Mss. in Alderman.

able . . . President of his Majesty's Council and Commander-in-Chief of the Colony."[30] With the assumption of the position and titles, the president received a salary comparable to the governor's plus house rent and privileges of making appointments. "King" Carter even appointed his own sons to office while he was in power.[31] There was no hesitation or waiting for a commission. The transition was smooth and unquestioned. And so a tradition of smooth change in leadership was firmly adhered to by the councillors of the colonies of Virginia and Pennsylvania.

Though there was usually a separation of membership between the upper and lower house in both colonies, dual membership in both houses was possible in Pennsylvania. The Virginia political system was worded so such an occurence did not happen. When Cole Digges was sworn to the council in 1720 after he had just been elected a burgess, the governor upon the advice of the other councillors declared the seat vacant and called for a new election in Warwick County.[32]

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[30]Nov. 21, 1750, EJCV, V, 345. Commission of Sheriff, Oct. 25, 1770, Virginia Miscellaneous Documents Collection, Alderman.

[31]Oct. 26, 1708, EJCV, III, 199. March 1, 1727, ibid., IV, 128.

[32]Sept. 15, 1720, ibid., III, 528-29.

Such was not the case in Pennsylvania between 1701 and 1721, Eight councillors were elected to the assembly during this decade, and three of them, Isaac Norris, Richard Hill, and Joseph Growden were elected speaker. The cause of this was the 1701 change in the charter of the government which abolished the legislative function of the council. In the fall of 1701, as we have noted before, Penn permitted several of his newly-appointed councillors to fulfill their elected obligations in the lower house. For the next twenty years, the councillor-merchant-Quaker clique used this loophole to attempt the control of the lower house. Since councillors were elected as speakers for more than half of this decade, they did attain some degree of success in their goals. In the election of 1721, due to the unrest of the time, the assemblymen councillors were defeated and never again did active councillors sit in the lower house of Pennsylvania.

In later years, however, several of the Pennsylvania councillors did sit in the lower house of Delaware. William Till long maintained his membership in that assembly, and Benjamin Chew was elected speaker in 1756. In this interesting sidelight on the councillors' acquisition of positions, the extent that they would go for political influence is shown. For almost twenty years, many of the important leaders of the assembly were councillors. Through dual

office holding, men like Joseph Growden, Isaac Norris, and Richard Hill were able to exert much influence. Thus the Pennsylvania councillors had the unique accumulation of offices held while a councillor because of this unwritten loophole in the charter. After 1721, no councillor again was an assemblyman, but this was once again an unwritten change.[33]

POSITIONS HELD AFTER THE COUNCILLORSHIP

	County & City	Lower House	Judicial	Vestry	Colonial
Virginia	0	4	0	?	5
Pennsylvania	4	13	15	?	8

Due to different circumstances in Virginia and Pennsylvania, several councillors continued serving in governmental positions after they had left the council. In Virginia these councillors had been dismissed, and in Pennsylvania post-council service was performed by those councillors who had not been re-elected, or by those who had resigned.

In Pennsylvania, because of the election of men to the council and their subsequent defeat or removal, a

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[33] See Chapter II. Oct. 21, 1756, MPC, VII, 295. Richard N. Lester, Monetary Experiments (Princeton, 1939), 68, 83.

number of the early councillors did hold important jobs after their service in the upper chamber. Several continued their movement upwards in the city government of Philadelphia to become mayors and aldermen of the city. A large number assumed judicial positions ranging from sitting on the supreme court bench as either chief justice or as an associate justice, to serving in a city or county judicial position. The most prominent of the ex-councillors was David Lloyd who for more than twenty-five years served as chief justice and intermittently as speaker of the lower house. Of all the ex-councillors, with the exception of Andrew Hamilton, David Lloyd made the greatest impact.

Ex-councillors went to the lower house where political power was on the rise. Of the thirteen ex-councillors who returned, three became speaker. David Lloyd served the longest of the three. Andrew Hamilton, one of the most important of Penn's recruits in the first half of the eighteenth century, retired from the council because it was too time-consuming and was elected to the lower house. He served outstandingly for a number of years and was in charge of several important projects, including the building of the state house. He was also the defense attorney in the John Peter Zenger case. The third speaker was Phineas Pemberton, an important early wheelhorse in the Pennsylvania

establishment.[34]

The ex-councillors of Virginia who served as burgesses were fewer but perhaps more interesting because of the political situation which allowed them to gain membership in the lower house. They were Thomas Ballard, Philip Ludwell I, and James Bray, who had been councillors at the time of Bacon's Rebellion and had been suspended afterwards. Ballard was able to recoup his position so well that he served as speaker from 1680 to 1682. Ludwell was reappointed to the council and then suspended again. After his second suspension, he was elected a member of the burgesses in 1688 but denied a seat. With this denial his son-in-law Daniel Parke II was elected. Bray was also elected that same year and was allowed to serve.[35]

There were also other functions which some of the ex-councillors performed after they were no longer councillors. Ludwell became governor of North Carolina in 1689 and South Carolina in 1691, and James Hamilton was governor of Pennsylvania. Both Daniel Parke II and Richard Penn were elected to the House of Commons, although Parke was thrown

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[34]Lokken, David Lloyd, 237-38. Colonial Families of Philadelphia, edited by Jordan, 278, 519. Konkle, The Life of Andrew Hamilton, 42-48. Sept. 15, 1701, MPC, II, 34.

[35]"Virginia in 1676-1677," VMHB, XXI, 235. Nov. 14, 1682, LJCV, I, 20.

out on a contested election. After being thrown out, he became a colonel in the army and then was made the governor of the Leeward Islands. Edward Digges returned to England where he was appointed to the Council for Foreign Plantations. Later he returned to Virginia to become auditor-general.[36]

Several of the councillors who lived through the American Revolution assumed important positions in the new country. Although their activities will be discussed in Chapter Nine, it should be noted that John Page III was elected Governor of Virginia, Benjamin Chew and Edward Shippen, junior, assumed important judicial positions, and Ralph Wormeley III became a representative to the Virginia House of Delegates and the constitutional convention of 1788.[37]

It is safe to say that the councillors in both Virginia and Pennsylvania held over half of the important provincial positions in their respective colonies. From the top level of the government structure to the lowest, they held numerous positions. The councillors in their

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[36]"Virginia, 1669-70," VMHB, XIX, 350, 357, H. F. Waters, "Virginia Gleanings in England," ibid., XIV, 175. Greene, Quest for Power, 456-57.

[37]See Chapter IX for a complete discussion of the post-revolutionary careers of most of these men.

various functions were the legislative, executive, and judicial workhorses. Since they had more numerous tasks, the councillors even late in the colonial period worked longer on public business than the representatives in the lower house.

As both the cogs and the motive power, the councillors kept the machinery of government moving. As we have seen, these men relished their position, complained of overwork, and coveted more honors. Also, many English traditions of government were translated into American actions, and the councillors in most instances were the translators. They followed the principles of peaceful succession and demonstrated how much time a public-minded person had to devote to his duties. Further they knew how to use their positions for political as well as for personal gain. From this recitation of jobs held, a clearer understanding emerges of the total involvement of these men in the American colonial system and of their contributions to it. They were not twelve senile old men grasping at power from an archaic position of status, but rather the primary, year-around functioning provincial administrators in these two colonies. A realization of this fact comes from reading the list of the many governmental positions they held and seeing how these positions spread throughout the colony, weaving a complex thread of political power which had its end in the council chamber.

CHAPTER VII

REASONS FOR LEAVING THE COUNCIL, 1660-1776

Councillors, with the exception of those elected, were appointed for life on condition of good behavior. Because of the rash of dismissals in the late seventeenth century in Virginia, the Board of Trade had instituted a policy that a governor could remove a councillor only after clearing it with the board. After 1699, no Virginia councillor was formally dismissed although there were ways of circumventing this restriction. In Pennsylvania, the governor always had the right of removal, but he usually consulted the proprietors first. Besides death and removal, councillors left the board either because they lost an election in Pennsylvania, returned to England, retired voluntarily, or the political system changed. Each of these categories will be discussed in turn.

CAUSES FOR LEAVING THE COUNCIL

	Death	Lost Election	Left Colony	Quit	Forced Retirement	Political Change	Am. Rev.	Unknown
Va.	89	0	12	5	3	9	10	7
Pa.	51	38	5	3	3	18	11	13

Death or old age which soon resulted in death was the primary factor in the termination of service on the council. As indicated on the chart, almost half the councillors were removed from the councils by death or serious illness resulting in death. William Cocke died of a stroke on the General Court bench. "King" Carter wrote that "Col. [Peter] Beverley is so crazy tis not likely he will be at ye Funeral [of Governor Drysdale]. . . ."[1] Within the year, Beverley was dead. James Logan likewise wrote to Hannah Penn that "J. Dickinson is become crazy in his health."[2] Others like Benjamin Harrison stopped going to the council meetings because of old age, and a young man like David Bray died before his councillor's commission was officially delivered.[3]

Elections caused the second most numerous turnover even though this reason was confined to Pennsylvania prior to 1701. During the first twenty years, some ninety men served on the council. Of this number at least thirty-eight councillors left the council because of election changes.

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[1]Robert Carter to Philip Ludwell, July 23, 1726, in "Some Colonial Letters," VMHB, III, 356.

[2]Logan to Hannah Penn, August 6, 1719, James Logan Papers, HSP.

[3]See Appendix A. March 13, 1712, Byrd's Diary, 1709-1712, 500.

With the stipulation in the first two charters that a councillor could only serve two consecutive terms, a rule which was broken on occasion, there was a mandatory turnover in the council. Of course, some of the men were removed from office by the council, and others were elected illegally so that pure election turnover was not the only reason for the changes. Still one needs only to read the election returns for any county to see the switching back and forth between the upper and lower house at each election. From Newcastle County in 1700, Richard Halliwell, Jasper Yeates, and John Donaldson were elected to the council and the following year, Yeates, Donaldson, and Halliwell were in the assembly. Also, in Sussex County, Luke Watson was a councillor from 1684 to 1686 and an assemblyman in 1687. It was not just a case of election defeat but a case of changing between the two houses. Nevertheless, defeat at the polls was the cause of more than thirty-eight councillors going off the council permanently.[4]

A return to England was another reason for leaving the council. At least five Pennsylvanians and thirteen Virginians went there permanently. From the very beginning English-born councillors serving in the colonies returned to their English homes while a few like Philip Ludwell III,

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[4]Conrad, History of the State of Delaware, I, 263-71, 280.

Daniel Parke II, and Robert Porteus who were Virginia born went there for personal reasons.

In Virginia, the return migration started early. Warham Horsmanden (1657-c.60), apparently a Royalist who had fled the Puritan Revolution, returned soon after the Stuart Restoration. Also in the seventeenth century, Henry Perry, Rowland Place, Francis Willis, Henry Hartwell, Philip Ludwell I and Daniel Parke II, made the voyage to England. The first five made their home in England while Parke went on to fight in the army and become governor of the Leeward Islands. In the eighteenth century, Robert Porteus, Philip Ludwell III, and George William Fairfax left. Porteus migrated to England where he lived for more than forty years. His family became quite prominent with his son becoming the Bishop of London. Ludwell retired to the English countryside in 1757 for no apparent reason. Fairfax had made a business trip to England in 1773 and was trapped there by the war. Further, English government servants like George Phenny, Robert Dinwiddie, and Richard Fitzwilliams all returned to England after serving on the Virginia council. However, the Virginia council never lost a prominent member in this migration. When a councillor became established in Virginia, there was no reason for him to go to England where he would have been in a lower social

and economic position.[5]

A number of Pennsylvania councillors also left for England. Thomas Story, who was only a transient visitor in Pennsylvania, left in 1714. William Penn, junior, returned to England under a cloud of public wrath never to come back, and Richard Penn likewise returned to England before the start of the American Revolution. Further, Andrew Allen left Pennsylvania for England as a result of the Revolution.[6] Once again no prominent councillor left. The type of man who left demonstrates inversely that the council was an American colonial institution composed of men who thought in terms of colonial issues.

Councillors in either Pennsylvania or Virginia were not merely Englishmen serving only the interests of the crown while in exile for a short period. As early as the 1660's in Virginia and the 1700's in Pennsylvania, the councils were an American oriented group bent on protecting their rights as colonials. Englishmen who had come to the colonies soon established themselves in lucrative business enterprises and so it was not to their benefit to leave. For colonial-born councillors, America was their home. Only

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[5]Appendix A. "Purleigh, Essex, England," VMHB, XV, 315-16. For a discussion of Fairfax see Chapter IX.

[6]Nov. 21, 1690, MPC, I, 344. For a discussion of the careers of Richard Penn and Andrew Allen see Chapter IX.

four American-born councillors left their home colony permanently. Since the English society was much more structured during this period and Americans moving there would be on a lower social plane, it is obvious that the colonial aristocracy had a home, and it was in America. Though more made trips to England, less than five per cent moved back there permanently.

Resignation was another way that a small but important number of men left the council. There were two types of resignations. The first was simply caused by the fact that a man no longer wished to serve on the council for personal reasons. The second was the means whereby a number of important senior councillors were forced from the council when they had become senile and the senior member had to succeed to the presidency.

In Pennsylvania, three of the most distinguished men ever to attend a council meeting left the board through retirement. Two of them retired more or less simultaneously. Andrew Hamilton and Thomas Graeme, who had attended a few meetings in the 1720's had not been to one since 1728. In 1738, Governor Thomas decided to push for their resignations. On August 18, Hamilton replied that he was too busy with his practice, and Graeme retired for personal reasons.[7]

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[7]August 18, 1738, ibid., IV, 295.

Graeme had lost interest since his father-in-law, Sir William Keith was no longer governor. Keith had appointed Graeme to add support in the council meetings, and after the Penn's removal of the governor, Graeme stopped attending sessions. Eight years later in 1746, James Logan, who had withdrawn from public affairs in the early 1740's, formally retired.[8]

Two others were more or less forced to resign. Thomas Lloyd, who had been the leading governmental official from 1683 to 1693, was asked by Benjamin Fletcher, the new royal governor, to be the first councillor under him. Fletcher was, however, trying to force Lloyd out because the governor knew that Lloyd, who had been acting governor for the previous two years, would refuse a subordinate position. With this refusal, Lloyd had in effect resigned, which was what Fletcher desired.[9] Years later, in 1746, Samuel Preston, who had become senile, was asked to resign for non-performance of his duties. In these several instances, Pennsylvania lost some of its more promineht councillors. Of course, most of them had passed the period of usefulness, and their loss was not important at the time they resigned.

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[8]May 29, 1747, ibid., V, 67.

[9]April 26, 1693, ibid., I, 364-65.

Yet resignation, both friendly and forced, was a way by which important councillors left the council.[10]

Almost the same number of Virginia councillors resigned too. There were four who retired on their own because they felt that they were incapable of fulfilling their duties. Two of these did so in the 1690's. John Custis I resigned in April, 1692, because of age

> and God Almighty for some yeares past having been pleased to Visit him with extreame violent Sicknesses [that he is] sometimes afflicted with very violent fitts . . . [and that] he is altogether unable to performe the Duty required of him in the performance of his serveral offices. . . .

The council approved his suspension and his offices were parcelled out to other men.[11] Seven years later Richard Lee II, who once refused to take the oath to William and Mary and had been reinstated, petitioned that

> he haveing served the Crown near twenty years as One of His Majesties Councill . . . though he all the time had his Residence at a great distance . . . and two Great Rivers between his dwelling and James Citty and being now by reasons of his Age and many Infirmities rendered unable to attend . . . humble desires His Excellency and Councill . . . to dismist the Petitioner. . . .

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[10]See Appendix A.

[11]April 15-16, 1692, EJCV, I, 222-23.

The council agreed and, as a retirement benefice, the governor appointed Lee to the position of "navvall Officer of all Potowmeck River Except Stafford."[12]

Seventy years later John Blair, aged president of the council, resigned. However, he, like Lee, had a retirement benefice. Blair pointed out in his retirement

> that he may be more at Leisure to attend to the Duties of his office of Deputy Auditor, which furnishes sufficient Employment for one of his advanced Years; & more especially from a tender Concern may not under such Circumstances be at the least Hazard of sustaining any Determent [by his continuation in office].[13]

The council, as a mark of respect to Blair, petitioned His Majesty for a pension for him.[14]

Besides these voluntary resignations in Virginia, there were three which were more or less forced. In June, 1692, Governor Nicholson called Secretary William Cole to task about a letter which the Secretary had written to Lord Howard in April, 1691. Cole, a supporter of Lord Howard, had written to the Governor General in an abusive fashion about Nicholson's administration. The Secretary, however, when asked about the letter in council meeting,

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[12]Oct. 7, 1699, ibid., II, 22.

[13]Oct. 15, 1770, ibid., VI, 366-67.

[14]Nov. 6, 1770, ibid., VI, 376-77.

apologized to Nicholson and stated that none of the other members knew anything about this letter. Then Cole petitioned that since

> a deepe Melancholly . . . hath Seized him, [which he] finds himself daily growing worse, soe he is incapable to Serve their Majesties as he ought to doe in performing those great trusts . . . his humble desire . . . [is] to live a retired life. . . .

Obviously Cole was forced to resign, but at least both the council and the governor allowed him to leave with honor.[15]

Nearly forty years later, Edmund Jenings was forced from office because of his age. Three years before, in 1723, "King" Carter who succeeded Jenings as president, wrote: "Col. Jenings . . . is so debilitated in his understanding by Age and infirmities that in reality he doth not know what he says or does. . . ."[16] In June, 1726, Drysdale, who was planning to leave for England, realized the difficulty of leaving the government in the hands of Jenings, who was too old. The governor delivered the opinion that

> Col. Jenings . . . for two years past has been incapable of attending this Board, and is said [to be] so far decayed in his understanding as to be unfit for the execution of that Trust . . . [so] he

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[15]June 23, 1692, ibid., I, 249-50.

[16]Robert Carter to William Dawkins, Nov. 29, 1723, Diaries and Letters of Robert Carter, Alderman.

> [Drysdale] desired the advice of the Council if it be for his Majesties service that he leave the administration in the said Colonel Jening's hands.[17]

The council supported the governor in the removal of Jenings and made Carter president. Jenings tried to fight the removal but he was not strong enough.[18]

In 1749, when a similar situation arose involving John Curtis III, he was well enough to resign gracefully and the administration passed to Lee who became the president for a short period of time. Actually, the senior councillor, John Robinson, died two days before Custis resigned so Robinson was never president.[19]

Only old but prominent councillors were removed by resignation. However, such resignations were forced primarily to maintain an active person in the presidency. In the case of Cole, Nicholson forced the resignation in order to remove a disruptive influence from the council. But in the case of Jenings and Custis, it was a measure of both sympathy and efficiency to force the old men out. Sympathy to protect the two from making a fool of them-

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[17]June 3, 1726, EJCV, III, 101.

[18]June 24, 1726, and August 1, 1726, ibid., III, 107-13.

[19]August 26, 1749, ibid., V, 299-300. Williams, "The Phantom Governorship of John Robinson, Sr., 1749," VMHB, LXVIII, 104-06.

selves and efficiency to provide for the capable governing of the colony. Yet the councillors were well-meaning as they demonstrated when they petitioned for a pension for John Blair.

The last major means of getting undesirable councillors off the council was by removing them. Through the last part of the seventeenth century almost thirty councillors were removed. However, in these two colonies only three councillors were officially removed in the eighteenth century, and all were in Pennsylvania.

Between 1682 and 1701, the Pennsylvania council, despite its importance, was in a constant state of flux. Four charters of government meant frequent changes, and so councillors were constantly coming and going. In the 1680's, some men like John Eckley, William Dyer, Samuel Richardson, and John Curtis were removed because of election fraud or because of the other councillors did not approve of their actions.

When Benjamin Fletcher became royal governor, the greatest turnover was effected by removal. Fletcher needed to select men who would support the royal establishment and so he removed twelve councillors including Arthur Cook, Thomas Janney, and Griffith Jones, who were Quaker supporters of Thomas Lloyd's administration. Fletcher needed men who would support him and who would not remain

loyal to the proprietorship. Then Fletcher appointed new councillors who had opposed the proprietorship and would support the royal commission.

William Markham in 1696 and Penn in 1700 also removed a number of councillors in attempts to solidify the government. After Markham reestablished the proprietary government in 1695, he needed to establish his own supremacy. Thus in 1696, he appointed a council of his own supporters thereby removing twelve councillors from their positions. This was done so that he would have firm support for his frame of government. Penn likewise removed councillors in 1700. After the spring election of that year, Penn changed to an appointed council. In the process, he failed to reappoint seven councillors including William Markham, Richard Wilson, William Biles, and John Hill. With their removal, the council became the proprietary group which it continued to be for the rest of the colonial period.[20] In each of these instances, governors removed councillors in order to be able to appoint their own supporters. Thus by the power of removal, the governors were able to change the political composition of the council.

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[20] See Appendix A and Chapters II and III. John Blackwell to John Claypoole, April 2, 1689, PA (4), I, 132-33. March 1, 1687, MPC, I, 197.

During the remainder of the colonial period in Pennsylvania, only three more councillors were removed. Robert Assheton, John French, and Abraham Taylor. Assheton was removed by Keith because he had revealed secrets of the council and maligned the governor to the Penns. For these reasons, and though he pleaded innocence, Keith removed him in 1719, but reinstated him in 1722. French was removed in 1727 because he had questioned the authority of the council to govern the lower counties.[21]

Twenty-five years later Richard and Thomas Penn personally directed Hamilton to remove Taylor from the council and from all other offices that he held. Taylor had tried to gain a large piece of land by proving that the Penns had claimed too much land on the border between Pennsylvania and Maryland. To the Penns, it appeared that Taylor was trying to gain more than 20,000 acres at their expense and wrote:

> a man that is in Possession of Places of Honour and Trust by our appointment . . . [and who] can coolly sit down for many days together to injure his Country and the Persons he accepted his Place from [is] . . . very unfit to execute any office in a Government. . . .[22]

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[21]Nov. 7, 1719; March 29, 1727, MPC, III, 63-64, 284.

[22]Thomas and Richard Penn to Council, July 27, 1751, PA (4), II, 690-92.

Two days earlier Thomas Penn had written to Peters that "Mr. Taylor . . . has acted so bad apart that I cannot have any intercourse with him."[23]

Disloyalty to the Penns was the cause of the removal of French and Taylor, and disloyalty to the governor resulted in Assheton being removed. In the former instance, however, the councillors had tried to strengthen their own position by weakening the proprietorship. Such disloyalty caused these men to be dropped. Nevertheless there was great stability on the Pennsylvania Council after it had become a proprietary body in 1700. The Pennsylvania governor and the proprietors maintained the right to remove councillors in the eighteenth century, but this only happened in the most critical cases.

Removals in Virginia became a major issue with the Board of Trade in the late 1690's. Before this time, at least nine councillors had been removed. The first major removal was that of Nathaniel Bacon, junior, by Governor Berkeley in 1676. In fact, the governor removed Bacon twice in two months. Berkeley removed Bacon for the first time in early May, 1676. When Bacon asked for forgiveness during the first part of the assembly in June, the governor reinstated him briefly, but with the renewal of the uprising,

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[23]Thomas Penn to Richard Peters, July 25, 1751, Gratz Collection, Governors of Pennsylvania, HSP.

removed him again.[24]

In the aftermath of Bacon's rebellion, however, five more councillors were removed. By order of the King in Council of February, 1679, Thomas Ballard, James Bray, and Philip Ludwell I were removed "for their unworthy behavior." Also Robert Bevereley and Edward Hill II were to "be put out of all employment & not admitted to any place of trust."[25] Ballard had supported Bacon, and thus these two were the only councillors removed for open rebellion. The other four were removed since they were members of William Berkeley's Green Springs faction and the royal authority was trying to remove the elements of both factions. Thus in this four year period, rebellion against Berkeley and support of Berkeley resulted in six dismissals. Of the six, Bacon was restored briefly, Ludwell was returned in 1680, and Hill was restored in 1690. Ludwell was again removed by Lord Howard in 1687 and the removal was confirmed by King James II in 1688. Ludwell was removed this time for supporting the House of Burgesses against the governor.

In the 1690's, three more removals were effected. Andros removed Blair for personal difficulties while Dudley

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[24]Washburn, The Governor and the Rebel, 41, 51.

[25]Orders of King in Council, March 14, 1678/9, VMHB, XXIII, 252-53.

Digges and John Page I were dropped from the council simply by not being included on the new royal instructions. The removal of James Blair by Andros in effect triggered the change in the instructions to Nicholson in 1699. Andros removed Blair on April 19, 1695 with the consent of the council because the commissary had made "Undecent reflections" on the governor. Blair was restored in 1696 and then removed again in 1697 due to the "Scots" Act. He was permanently restored in 1704.[26]

This removal of Blair, his subsequent protests to the Bishops of London, and the Commissary's voyage to England started the reform of the principle that the governor had the right to remove any councillors. The Royal instructions to Nicholson in 1699 made it clear that a governor could only remove a councillor with the prior consent of the Board of Trade. This rule was in effect for the entire eighteenth century. The only governor, however, to institute it was Spotswood against Blair, Byrd, Ludwell, and Smith in 1719. Spotswood, however, did not succeed.[27]

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[26]Stanard, "Major Robert Beverley and his Descendants," ibid., II, 408. "Governor Herbert Jeffreys vs. Col. Philip Ludwell, Dec. 1677," in ibid., VIII, 5-24. "Notes," ibid., VII, 282. "Notes and Queries," ibid., I, 200. Feb. 2, 1687/88; June 23, 1692; April 19, 1695, EJCV, I, 88, 249-50, 324. William Fitzhugh and His Chesapeake World. Edited by Richard B. Davis (Chapel Hill, 1963), 289. See also Chapter I.

[27]See Chapter I.

Also in the 1690's, John Page I and Dudley Digges were removed by their names being deleted from the royal instructions. Concerning Page being left off the council, Nicholson wrote

> Coll. Page (who was left out of the last Commission of the Council, whether by mistake or otherways) was the only man who opposed the Commission sent you by My Lord Bishop of London & a cunning Man who I fear has underhand encouraged others to raise a great clamour against that Commission . . . therefore endeavour that he may have his quietus as being a very old & infirm man & may not be restored to the Council . . . which will deter others of the Council from appearing against the Bishop of London's authority.[28]

Page had objected to the authority of the commissary and so he was removed.

Then Dudley Digges, who had been appointed by Andros, was left out of Nicholson's commission. Seven years later in Nott's new commission, he was restored. Nicholson made no attempt to restore Digges. In fact, the Board of Trade wrote to the governor "Wee also approve of what you have done in not admitting Mr. Dudley Digges to be [of] ye Council. . . ."[29] Andros had appointed Digges on his

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[28]Nicholson to Blair [no date], "Papers Relating to the Administration of Governor Nicholson and to the Founding of William and Mary College," VMHB, VII, 158.

[29]Board of Trade and Plantation to the Governor of Virginia, Jan. 4, 1699/1700, ibid., XXII, 35.

own as a parting shot at Nicholson whom Digges disliked. Nicholson was not unhappy when Digges was left off the instructions. In this instance, one governor tried to spite another by his appointment, but was thwarted in the attempt.

Virginia councillors were dismissed for rebellion, opposition to the governor, opposition apparently to the commissary, and old age. In all instances, the power of dismissal which the governor held over the councillors was illustrated. Because of this power, the governor prior to 1699 was able to maintain his supremacy over the council. With the change in instructions, this power was abolished and the councillors could act in opposition to the governor more freely.

With the change in the instructions to Virginia governors in 1699 and the change in the form of the Pennsylvania government in 1701, gubernatorial removals of councillors almost ceased. The period of the eighteenth century, with the exception of the three councillors in Pennsylvania and the enforced retirement of several old councillors in both colonies, was free of the governor controlling the councillors by the power of removal. After 1700, never was an important councillor removed permanently at the height of his power. With only the secondary councillors subject to permanent removal, the most important

councillors could act as they wished. Thus a James Blair, James Logan, William Byrd II, and Richard Peters could go their way secure in their positions, as it was only the lesser figures such as Abraham Taylor, Robert Assheton, or John French who felt the wrath of the governors or proprietors and were removed. Those councillors who had achieved a position of real power were removed only by death or late resignation.

CHAPTER VIII

INFORMAL CONNECTIONS OF THE COUNCILLORS

Man is by nature political and he uses the connections which he makes to foster his own interests and the interests of his friends when the two coincide. A councillor had two types of connections. The first was the formal relationship developed as a result of his governmental obligations and commissions. Thus it consisted of the councillors sitting in their official capacity as a council. The other type of relationship was an informal connection, which was any non-constitutional tie formed by a councillor or councillors through social, economic, or family bonds. These connections were an integral part of the life of a councillor and through them, he was a force in the entire structure of the colony. A councillor not only held a position at the pinnacle of the governmental structure but he was also an important element in the rest of the community. References to the informal connections of the councillors have appeared throughout the preceding chapters. A number of them will be discussed to demonstrate their importance.

The most important informal connections in Virginia and to a lesser extent in Pennsylvania were the family relationships. Numerous examples of how the family ties

worked and how they were feared have been cited. In particular Governor Spotswood was worried about the Ludwell-Harrison combine during his administration. However, in order to focus sharply on the basic significance of the family ties, the family connection which appears to be the main trunk of the entire Virginia Council will be reviewed. In 1652, Sir Henry Chicheley, a former royalist officer in the Puritan Revolution, married Agatha Eltonhead Wormeley. Agatha was the sister of William Eltonhead, a Maryland councillor, and the widow of Ralph Wormeley, a councillor who had died several years previously. The new Lady Chicheley along with her two sisters, Eleanor and Alice, married a total of five Virginia councillors including Ralph Wormeley, Henry Chicheley, Henry Corbin, William Brocas, and John Carter. From the marriages of just these three sisters, some sixty Virginia councillors derived relationships by marriage and birth. This number included nine of the councillors who were alive at the start of the American Revolution. This family connection included the Byrds, the Corbins, Carters, Pages, Lees, Randolphs, Beverleys, Wormeleys, Lightfoots, Grymes, Harrisons, Ludwells, and Burwells. Besides these families, such important individuals as Edmund Jenings and James Blair also married into the trunk family. In other words, all of these councillor families were related by marriage because of the various husbands of the three

Eltonhead sisters. A more dramatic and convincing demonstration of the vast cousinhood of the Virginia Council can not be found than in this one family genealogy.[1]

One result of Virginia family relationships was the tie between the upper and lower house. Several good examples can be cited to show these connections. In the 1740's, John Robinson, senior, was one of the more important councillors while his son John was Speaker of the House of Burgesses. The Blair family provides another good example of this type of relationship. In three generations, including the two council presidents and John Blair, junior, the clerk of the council, the Blair family provided either by birth or marriage, four councillors and ten prominent burgesses including Wilson Miles Cary, Richard Bland, and Robert Carter Nicholas. Four other families who had similar connections were the Harrisons, Carters, Lees, and Pages.[2]

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[1]"Genealogy," VMHB, 144-6. Mary A. Stephenson, Tayloe House (CW Research Report, 1963). "Extracts from County Records," VMHB, VIII, 181. Pauline P. Werne, Benjamin Harrison of Berkeley (Tappahannock, Va., 1961), 117.

[2]Stephenson, John Blair House (CW Research Report, 1963). Glenn, Some Colonial Mansions, I, 48. Werne, Benjamin Harrison of Berkeley, 14. Richard C. M. Page, Genealogy of the Page Family in Virginia (2nd. ed., New York, 1893), 57

Family relationships in Pennsylvania were not this well developed although through the years the beginnings of several dynasties appeared. The three daughters of Thomas Lloyd married four councillors John Delaval, Richard Hill, Samuel Preston, and Isaac Norris with the last three serving on the council at the same time. The Penn family connections have already been mentioned.[3]

Despite the frictions which probably developed in family groups over issues arising from time to time and the lack of relevant material to show the actual power of these family relationships, it is safe to assert that the family ties in both Virginia and Pennsylvania were strong enough to cement political cliques and to have considerable impact on the way legislation was passed and offices were dispersed. Also the continuation of families in the same offices was an essential element of the maintenance of a dynasty. When Richard Lee II, who had been appointed naval officer in 1698, retired in 1710 as collector of the naval district of the Potowmack River, the office was passed to Thomas Lee. Twenty-three years later when Thomas became a councillor the office was passed on to Henry Lee.[4]

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[3] Colonial Families of Philadelphia, edited by Jordan, I, 42.

[4] Oct. 20, 1698, EJCV, I, 393; November 30, 1710, ibid., III, 263; Oct. 24, 1733, ibid., IV, 307

Clearly, family relationships were the greatest of the informal connections. Through three and sometimes four generations, offices were entailed, family pride was maintained, and members were protected. The control by these family groups of the Virginia Council and to a lesser extent of the Pennsylvania Council filtered into every aspect of colonial life. To understand the history of this period, it is essential to understand these relationships. Because by these connections, power was used to influence political measures and wealth was passed from generation to generation.

Second in importance to family ties were business connections. Examples have been cited earlier of councillors banding together on occasion to form large land and business companies to increase their wealth. These business arrangements in effect made the council a board of directors. At times, the council was divided into opposing cliques because of difficulty over a particular business venture. Yet these arrangements which the councillors constructed spread their influence into almost all parts of the colonial economy.[5]

Land acquisition was the major reason for councillors banding together in business associations. Several large land companies were created in the two colonies plus innumerable smaller combines. The largest one in

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[5]Colonial Families of Philadelphia, edited by Jordan II, 1495-6.

Pennsylvania which the councillors participated in was the Free Society of Traders, which had an impact on Pennsylvania politics for almost twenty years. The Free Society of Traders was a joint-stock company organized in London to purchase land, to promote settlement, to open trade routes, and to operate business establishments. In their first few years, the company participated in fishing and whaling and in the operation of grist mills, a glass factory, a brick kiln, and a tannery; owned a sailing ship; opened Indian trade; and planned to sell goods to settlers.

The company was directed by London Quaker merchants and of the original thirteen officers of the company, Nicholas More, James Claypoole, John Simcock, Robert Turner, William Haigee, Griffith Jones, Thomas Holmes, and James Harrison were all councillors. Penn in his endeavours to integrate the company into the government originally promised three council seats for this group. Although his plans fell through, these men were elected as councillors and Penn gave to them additional sinecures to bind their support to his cause. In the first four years of the proprietary, this group constituted the proprietary faction.

Yet because of the company's close connection to the proprietary and the resentment of the "old residents" of Pennsylvania to the proprietorship, the company was in part unsuccessful in its original aims. Since the directors of

the Free Society were Quaker and councillors, most of the opposition was centered in the lower house. Neither the members of the lower house nor an increasing number of councillors by 1686 liked the monopolistic position of the company. By this date Thomas Lloyd, who had opposed the operation of the company, was in control of the council, and for the next ten years, the members of the Free Society of Traders were for the most part a minority faction headed by Robert Turner. Thus the Free Society was an informal connection between a number of councillors who were also businessmen that was both an influencing and a disruptive factor in Pennsylvania politics for most of the first two decades. After this time, the councillors did not band together to acquire land nor did the participate in any of the great Pennsylvania land companies of the eighteenth century. One reason for this is the fact that many of the councillors were acquiring land individually and did not have to participate in companies.[6]

In Virginia, rival groups of councillors received between 1745 and 1755 over two million acres of land. With examples of such great land holdings as the Northern Neck tract of the Fairfaxes and the prospect of opening the land

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[6]Nash, "The Free Society of Traders and the Early Politics of Pennsylvania," PMHB, LXXXIX, 147-72.

beyond the mountains, the Virginia councillors determined to participate in the land speculation. In this period, fourteen Virginia councillors including John Robinson, senior, Thomas and William Nelson, William Beverley, John Tayloe, John Blair, William Dawson, Thomas Lee, George Fairfax, John Lewis II, Richard Corbin, Philip Ludwell III, Robert Carter Burwell, and Philip Ludwell Lee formed a variety of companies, including the Greenbrier, Loyal, and Ohio Companies, to administer these grants.

Because of the large number of councillors involved, rivalries started and each group tried to out do the other in the acquisition of land. This was the most divisive factor in councillor politics in the late 1740's and throughout the 1750's. The major two contending groups were the Randolph-Robinson-Nelson combine of Tidewater and Piedmont planters who controlled the Loyal and Greenbrier companies, and the Lee family's Ohio Company which had the support of the Fairfaxes. In addition in 1753, a third rival entered the field when Richard Corbin and associates received 280,000 acres too. Even the governors were involved since Gooch supported the Loyal and Greenbrier Company, Dinwiddie, the Ohio Company, and Fauquier, the Loyal. Further a change in council presidents created changes too. Thomas Lee, when he was council president, wrote to Governor James Hamilton of Pennsylvania complaining about

Pennsylvanians infringing on the rights of the Ohio Company. But Lee's successor, Lewis Burwell was a supporter of the tidewater companies so the balance of power changed from the Ohio Company to the Loyal and Greenbrier Companies. With the creation of these land companies, the council was divided internally but apparently this never disrupted the functioning of the council.[7]

Besides just the connections within the council created by the land companies, other informal relations were developed because the companies were usually formed by a combination of burgesses, councillors, and merchants. By having representatives from both houses, the interests of the company could usually be promoted and protected, and the interlocking relationships tied them into a common financial venture. Thus the council, despite opposing factions, was the source of most of the leadership in Virginia land speculation.

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[7]Kenneth P. Bailey, The Ohio Company of Virginia (Glendale, California, 1939), 15-82. Alfred P. James, The Ohio Company (Pittsburg, 1959), 10, 14, 18, 23, 53, 111. T. P. Abernethey, Western Lands and the American Revolution (New York, 1959), 7-11. Williams, "Political Alignments in Colonial Virginia," 328-36. Bailey, The Ohio Company Papers, 1753-1817 (Arcata, California, 1947), 241-6. Hendrick, Lees of Virginia, 66. July 12, 1749, EJCV, V, 295-7, Thomas Lee to James Hamilton, November 22, 1749, HSP: same to same, December 20, 1749, ibid. Manning C. Voorhis, "Crown Versus Council in the Virginia Land Policy," W&M (3), III, 499-514. For a description of the disruptive influence of land acquisition see Chapter I.

Involvement in mercantile and manufacturing enterprises provided another category of interlocking business connections. These organizations were found more in Pennsylvania than in Virginia although Archibald Blair, a burgess, worked in association with his councillor brother James and Philip Ludwell II to create one of the largest mercantile firms in Virginia. Another company formed in Virginia and one which had much political significance was the Indian Company headed by Spotswood. Among its owners were councillors William Cocke, Nathaniel Harrison, and Mann Page, and future councillors Peter Beverley, William Dandridge, and Cole Digges. Besides these men there were important burgesses associated with the company. The political significance of this company demonstrates the use by the governor of a monopolistic company to cement together his supporters in the Council and House of Burgesses. Although the company did not last long, it had am important impact during Spotswood's administration on the councillor politics.

A good example of interrelationships in business ventures between the councillors is provided by the ownership of the merchant vessel Rachel sailing out of Philadelphia. In 1709, this ship was owned by Pennsylvania councillors Isaac Norris, Richard Hill, Samuel Preston, James

Logan, and Thomas Masters.[8]

Besides shipping and land combines, the Pennsylvania councillors also participated in manufacturing. The Durham Iron Works through the years had a number of councillors as part owners as well as the printer Andrew Bradford. James Logan, who willed his share to his son William, Joseph Turner, Evan Owen, and Lawrence Growden were all involved in this company. Other combinations included Joseph Turner and William Allen, the leader of the proprietary party in the lower house and chief justice, in the mercantile firm of Allen and Turner as well as the Union Iron Works of Huntington, New Jersey. Robert Turner and Samuel Carpenter owned a paper mill in the 1690's and Chew in 1766 helped to organize a linen manufactory with William Allen, Joseph Fox, John Ross, and Philip Syng who were all prominent non-councillors of the Philadelphia society.[9]

In most of these instances in both colonies, the councillors were members of a directing board of a company which was composed of councillors, representatives of the lower house, other prominent men, and perhaps a London

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[8]Dodson, Alexander Spotswood, 86. The Controversy Between Lieutenant-Governor Spotswood, and his Council and the House of Burgesses, on the Appointment of Judges on Commissions of Oyer and Terminer. Edited by Worthington C. Ford (Brooklyn, 1891), 21. Tolles, Meeting House and Counting House, 87.

[9]Konkle, Benjamin Chew, 81. Tolles, Meeting House and Counting House, 96-9, 110. "Diary of James Allen, Esq., of Philadelphia, Counsellor at Law, 1770-1778," PMHB, IX, 183. "Notes and Queries," ibid., XII, 500.

merchant or two. Through such informal connections as these, the councillors became involved in the total economic life of the community. It is obvious that in developing their connections, the councillors and their contemporaries formed associations for their own financial interests. By developing these connections, the councillors strengthened their economic power. Because of the interrelationships which they were able to develop through their political and economic ties, the councillors either individually or collectively participated in their colonies' business affairs. When necessary, they had the political influence to protect their interests and in fact, there is no other comparable colonial group whose membership had so much economic power.

The management of estates provided another level of informal connections. This actually is a good index of the complexity of the informal relationships which the councillors formed. An executor had to be a close friend because of the tangled affairs of many of the estates. As mentioned previously, the executors of Daniel Parke II's and Mann Page's estates worked more than twenty years to settle some of the financial difficulties. To solve the tangled state of these estates, the councillors used their fellow councillors, assemblymen, and merchants as executors. George William Fairfax named in his will which was probated in 1786, Robert Carter II, Wilson Miles Cary, George

Washington, and Samuel Athawes to administer his wishes. Philip Lightfoot in his will named three councillors John Grymes, Thomas Lee, and William Nelson, and two burgesses Anthony Walke and William Lightfoot. In one of the most tangled of all councillor's estates, Mann Page named King Carter, John Carter, Robert Carter, junior, and Charles Carter. In these and many other instances, the executors of a councillor's estate were involved for years in straightening out the affairs of the deceased and paying his debts. Examples of the informal connections created by the executors of an estate also were found in Pennsylvania. Benjamin Chew for example was involved in the settlement of Joseph Turner's estate for several years.[10]

Besides these two major categories of informal relations, there are a number of minor ones which can loosely be described as social connections. The Philadelphia colonial society to which the councillors belonged was organized into a number of groups and philanthropic organizations. References have been made to the councillors' memberships in such groups as the Board of Visitors of the College of Philadelphia and the American Philosophical Society. In 1748, the social elite including councillors

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[10]July 22, 1731, Diary and Letters of Robert Carter, Alderman. Stephenson, Allen-Byrd House (CW Research Report, 1958). Chew to Henry Hill, April 28, 1791, Gratz Collection, HSP. "Will of George William Fairfax in Virginia Colonial Records Project, Survey Report 4939(CW Research),

Lynford Lardner, James Hamilton, Joseph Turner, Richard Peters, and Abraham Taylor formed the Philadelphia Dancing Assembly. This group sponsored some of the social highlights of Philadelphia. Until the American Revolution, councillors and other prominent townsmen were important members of this group. Then after the war, this was one of the first organizations to accept Benjamin Chew. Through this connection, Chew reestablished his social position in the community. The same may also be said for the Tammany Society which was organized in 1773 by Chew, Andrew Allen, James Hamilton, James Logan, Edward Shippen, junior, Tilghman, and Richard Penn. The membership of these men ceased during the war but afterwards Chew was restored to membership. At a meeting in 1789, which Chew attended, George Ross, a senator, Judge Richard Peters and Tench Francis, a prominent lawyer, were also present.[11] In this way, Chew reestablished his contacts with the social order and the new political leaders. These social contacts as will be seen in chapter nine were one of the main bridges from the colonial to the Federal society. As important is the fact that these social and philanthropic organizations were another informal

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[11] Colonial Families of Philadelphia, edited by Jordan, 925. Cabeen, "The Society of the Sons of Saint Tammany of Philadelphia," PMHB, XXV, 441; XXVIII, 37. Balch, The Pennsylvania Assemblies, 22-3

connection to which the councillors had access and not only provided an additional power base for the councillors during the colonial period, but also provided a bridge for the survivors of the war to cross into the post-war society.

The Virginians never had quite the same form of social organization. Yet their socializing was just as important for informal relationship as those in Philadelphia. The public times in Williamsburg were a period of much visiting and informal exchanges. The taverns, Philip Ludwell's house on the palace green, the governor's palace, and other homes were all gathering places for both burgesses and councillors. During the rest of the year, there was constant visiting between the plantations, on militia days, at vestry meetings, and during election times. Two councillors in conjunction with a third man even built a "Banquet Hall" at the point where their properties met. Henry Corbin, Isaac Allerton, and John Lee all participated in the building of this edifice which was designed for purely social reasons.[12] All of these minor social gatherings in themselves may seem trivial but together they were important.

The capstone of all informal relations was the political alliances which the councillors constructed. From the Green Springs group through the William and Mary College

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[12]Hendricks, Lees of Virginia, 29

clique to the Ludwell-Harrison combine in Virginia and from the Quaker group through Lloyd's faction to the proprietary clique in Pennsylvania, the councillors formed many political associations which were designed to promote their interests. The councillors because of the offices that they held were influential in the entire political structure of the country.

It is important to note that the upper house-lower house were tied very closely. One needs only to check the number of entails abolished for councillor families in the eighteenth century in Virginia, to see that there was considerable involvement between the upper and lower houses. In this seventy year period, there were forty-two entails abolished among the councillor families. The councillors used their influence to preserve their society and to continue it when necessary as is evidenced by these entails which were revoked for councillor families.[13]

When a prominent individual was trying to have a particular piece of legislation passed, he solicited aid from members of both houses. Thus in 1759, Lord Fairfax wrote

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[13]Keim, "Influence of Primogeniture and Entail in the Development of Virginia," 110. April 3, 1747, EJCV, V, 227.

> If the Lees and Custis should join in the affair, I doubt they with the assistance of James River [burgesses] will carry it in the House of Assembly. I will therefore write to Col. Philip Lee and Col. Tayloe and try what we can do in the Upper House. [14]

The implications of this letter are widespread. First Lord Fairfax indicated two families as if he considered them to be a voting block. Then he mentioned a specific geographic region which he also implied was a voting block. Finally although he believed these two blocks were with him, he knew that this was not enough votes to carry his measure so he turned to the councillors for further support. Although this is an isolated example there are other indications that this is exactly how the political machinery of Virginia and Pennsylvania on occasion functioned.

Another example of this political-family influence was found in court cases. Because the Virginia councillors were also the judges, sometimes the outcome of a legal case was dictated by the informal relationships rather than by the legal aspects of the case. In 1717, Spotswood wrote at

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[14] Edward D. Neill, Fairfaxes of England and Virginia (Albany, 1868), 111-2. Fairfax was concerned about the enlargement of the town of Winchester because he had laid off lots close to the townsite which he wanted incorporated into the town. Feb. 28, 1759, JHB, 1758-1761, 71.

> The last General Court, the King's Cause against Col. Ludwell could not by tryed for want of Judges, tho' there were that very day ten on the Bench but so many of them Mr. Ludwells Relations that there were not five left to go on with the Tryall, and the same often happens in private Cases where any of that Family are Defendants. 15

In Pennsylvania, the informal connections were never this well-developed because there were fewer family combines. Still over the years various informal relationships constructed by those of Quaker beliefs, those having dual membership in both houses, and those tied to the proprietor were used to influence the political affairs of Pennsylvania.

The end result of all these informal relations was a pyramid of power being capped by either a single councillor, several councillors, or all of the councillors working together depending on the situation. Though the councillors were appointed, and the burgesses and assemblymen were elected, these members of the board were the functionaries of the colonial government. From the standpoint of family relationships, economic combinations, compounding of offices, religious membership, and other informal combinations, these councillors ran and manipulated the government for their own interests and the interests of the way of life which they represented. There was no other group in the colonies which

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[15]Spotswood to Lord Commissioners of Trade, April 5, 1717, Letters of Spotswood, II, 230.

influenced so many varied aspects of colonial life as the councillors. The reason that there were no more major conflicts between the appointive body particularly in Virginia and the elective body is that the two groups were tied together by these combinations and both were composed of men from a strata of like-minded men which was not changed basically before the American Revolution. In Pennsylvania, despite the divergence of opinion over the proprietary interests, the councillors still maintained considerable influence in the lower house through all of the informal connections. The ententes formed by these informal connections spread the influence of the councillors throughout the colonies. What they lacked in visible power they made up in informal power resulting from these connections.

CHAPTER IX

THE IMPACT OF THE AMERICAN REVOLUTION ON THE GOVERNOR'S COUNCILLORS, 1765-1825

In 1775, the British colonies in America were approaching the breaking point with the mother country. For more than one hundred and sixty years in Virginia and eighty years in Pennsylvania, a body of men had been meeting as the governor's council. Then in 1775, these men who were American born but holding either a royal or a proprietary commission were caught in the middle of the struggle. Since they were not only holders of the highest political office but also leaders of the economic and social life of their colonies, the impact of the American Revolution upon their lives and the institution of which they were a part is important in understanding how this event affected the governing classes.

On May 2, 1775, the Governor, Lord Dunmore, requested the Virginia council's advice on whether or not a proclamation should be issued

> before our fellow subjects abandon themselves totally to extremities, which must inevitably draw down an accumulation of every human misery

> upon their unhappy country, to warn them of their danger, [and] to remind them of the sacred oaths of allegiance. . . .[1]

Having requested a night to deliberate, the council at its last official meeting supported the governor's proclamation calling "all his faithful subjects . . . to restore peace and harmony to this distracted country. . . ."[2]

On the same day, it was announced in the Virginia Gazette that Gawin Corbin was appointed to the council. Only a week before, the description of the armed encounter at Lexington and Concord had appeared. One represented the beginning of the new order and the other the last vestige of the old.[3]

After this proclamation Lord Dunmore fled to a warship in the York River because he feared for his safety. The council, however, kept functioning for almost a year. With the governor's departure the remaining members of the council issued another proclamation stating in part:

> The Council recommend it to all Orders of Men, to consider seriously what will be the probable Consequence of such a Conduct. . . .
> The Council wish, upon this Occasion, that all odious Distinctions may be laid aside, and that they may be considered not as a separate Body of Men . . . but in the Life in which they

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[1]May 2, 1775, EJCV, VI, 580.

[2]May 3, 1775, ibid., 583.

[3]Virginia Gazette, (Dixon and Hunter), April 29, 1775; May 4, 1775.

> have always regarded themselves, as the watchful Guardians of the Rights of the People, as well as of the Prerogatives of the Crown. They are, most of them, Natives of this Country, they have Families, they have Property, and they trust they have Integrity too; which are the best Securities Men can give to any society for the faithful Discharge of their Duty.
>
> Let then their Exhortations have proper Weight and Influence among the People, and they plight their Faith, that they will join heartily with them in the Use of such Means . . . judged most salutary and conducive for enforcing Obedience to the Laws. . . .[4]

Several members of the council including Secretary Nelson, Richard Corbin, William Byrd III and Gawin Corbin certified the newly-elected burgesses when they arrived for the General Assembly meeting in early June. For the next two weeks, the General Assembly met and functioned under the colonial charter with Secretary Nelson acting as the president. The councillors worked with the burgesses for peace. Two of the councillors and four burgesses even visited Dunmore in an attempt to get him to return to Williamsburg.[5] Finally, in exasperation the General Assembly petitioned

> We have before, in conjunction with his Majesty's Council, intimated to your Excellency how very necessary a recess is at this critical season, our harvests demanding our immediate presence at home.

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[4] "To all the good People of Virginia," May 20, 1775, EJCV, VI, 708-09.

[5] Virginia Gazette (Dixon and Hunter), June 10, 1775; LJCV, III, 1589-90.

> We must therefore entreat your Excellency to meet us at the Capital tomorrow, Should your Lordship decline complying with this just request, we hope you will be pleased to grant your commission to the President of the Council. . . .[6]

Since the governor did not return, the colonial assembly adjourned on July 1, 1775, never to meet again, though some members assembled in October and again the following March.

The councillors continued to maintain their individual positions. Secretary Nelson acted as president, Richard Corbin tried to collect quitrents, Camm continued at the college, but John Page, Junior, was elected to the Committee of Safety in August, 1775. He was the first councillor to join the new forces in Virginia. In the spring of 1776, Richard Corbin, with the approbation of the Committee of Safety, visited Lord Dunmore in an attempt to arrange a reconciliation, and a month later in April, Wormeley was arraigned before the same committee for stating that he might support the Tory cause. With the advent of the state constitution of 1776, the old council was dead. In the new constitution, the Council of State was patterned in theory fairly close to the old colonial council with many of the

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[6]June 1, 1775, The Proceedings of the House of Burgesses (Williamsburg, 1775 on microfilm), 46.

same executive and advisory powers.[7]

The councillors of Virginia for the ten years prior to the Revolution had not been of the same caliber as their predecessors with the exception of the Nelsons, Blair, and John Page, junior. Of the seventeen men who served during this period, none had been as active in the total political life of the colony as William Byrd II, King Carter, Jenings and Blair, with the exception of the Nelsons. Among all the revolutionary period councillors, they held only thirty-nine positions of responsibility or less than two and one-half positions per man. Robert Carter of Nomini had never been elected to any office. This undoubtedly reflects the fact that as the population and economy matured, more men were available for the offices.

Yet the eleven councillors who were alive and serving in 1775 were the logical culmination of 170 years of Virginia

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[7]Evans, "The Nelsons: A Biographical Study of a Virginia Family in the Eighteenth Century," 223. Virginia Gazette (Dixon and Hunter), June 10, 1775; July 1, 1775; August 26, 1775; April 26, 1776; July 5, 1776. It is interesting to note on the first Council of State of 1776 that a Page, a Digges, a Tayloe, a Blair, two Harrisons, a Dandridge, and a Carter were elected. This is an interesting commentary on those who believe that the American Revolution immediately set off a social change. Every member had a colonial councillor in his ancestry. The Federal and State Constitutions. Compiled by Benjamin P. Poore (2 vols., Washington, 1878), II, 1910-12.

aristocracy. Virginia-born planters, who in several instances had been educated in England, had followed their fathers and other relatives on to the council. By 1775 a genealogical table of the councillors shows an almost complete interweaving of the old, councillor families with the exception of Fairfax and Camm.[8]

Even with the colonial period fading, there was a strong predilection for having a councillor in the family. Twice in the 1770's the Nelson family used all of its influence with London merchants and English peers to gain the seat for Thomas Nelson, junior, the future governor and general, but without success. As late as the spring of 1775, Henry Lee was writing letters in an attempt to get another Lee appointed because Philip Ludwell Lee had just died, and the Lee family needed a councillor. This fascination with family representatives shows in part the inherent weakness in the council during the last phases of the colonial period. Too many of the seats were hereditary, and at least one man who did not deserve a seat was appointed.[9] In the instance of Robert Carter Burwell's nomination, both

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[8]See Appendix A.

[9]Edmund Jenings Lee, Lees of Virginia (Philadelphia, 1895), 293. Evans, "The Nelsons: A Biographical Study of a Virginia Family in the Eighteenth Century," 181, 203.

the council and the governor objected, hoping that the King would appoint "some other more able and discreet person. . . ."[10]

In the years prior to 1775, the seventeen councillors who served in Virginia had many problems confronting them not all of which were associated with the approach of the revolution. Coinage, land, western expansion, Indian treaties and wars, and the American bishopric were issues during this period as well as the Stamp Act, the non-importation acts, and the Tea Act which were associated with the approaching crisis. Much of the councillors' time continued to be spent in the dispersement of land and court cases. The Executive Journal for the period 1765 to 1775 shows the vast amount of paper work which the council participated in. While the lower house was in a constant state of agitation over the conflict with England, the council was proceeding with the routine functions of government. If these councillors were not the most qualified, at least they were among the most energetic, and their attendance record was enviable.[11]

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[10]July 30, 1762, EJCV, VI, 229.

[11]For examples of these problems see November 6, 1764; July 16, 1765; December 8, 1766; June 16, 1768; October 19, 1768; November 9, 1769; June 12, 1771; March 18, 1772; ibid., VI, 274-77, 293-97, 300, 334, 413-24, 449, 683-84.

Despite the lack of information in the Executive Journals concerning the mounting crisis, the councillors were involved at least on a personal basis. In 1765, Carter objected to the Stamp Act and he, along with the Nelsons and Blair, was appointed to the committee of correspondence. A year later John Tayloe II was writing to Landon Carter in an attempt to secure information concerning "the points in dispute" for Colonel Scott, a member of parliament and an informer for Lord Shelburne.[12] By 1768, in the middle of the non-importation crisis, President Nelson wrote: "we are I believe determined to a man to behave with Decency, Duty, & Respect, and our Cause being a good one. . . . For Liberty I trust is a good Cause. . . ."[13] Nelson supported much of the early opposition to the crown.[14]

The administrations of Francis Fauquier and Lord Botetourt were the last convivial period of the colonial order. With Botetourt's demise, William Nelson assumed the

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[12]Morton, Robert Carter of Nomini Hall, 52. "The Virginia Committee of Correspondence," VMHB, IX, 353. John Tayloe to Landon Carter, Sabine Hall Collection, Alderman.

[13]William Nelson to John Norton, Nov. 14, 1768, William Nelson Letterbook, Alderman.

[14]William Nelson to Arthur Lee, Sept. 2, 1769, Lee Photos, Alderman.

presidency on the resignation of Blair and spent two enjoyable years until Dunmore arrived. During the Nelson administration, Horrocks and Camm tried to influence the clergy to support the American bishopric.[15] With the arrival of Lord Dunmore, the normal routine of business continued but the council also asked him on June 16, 1774 to call for the election of a new House of Burgesses. Secretary Nelson presented a unanimous petition of the council to Lord Dunmore asking him to issue the writs of election. Dunmore replied that he thought,

> the calling . . . would only give an opportunity [to the burgesses] of entering into violent Resolves. . . . But, nevertheless, as the Board unanimously advised Measure, his Excellency was pleased to . . . order writs to issue.[16]

On the next day, Dunmore charged the council "to exert your utmost Influence to inspire a Spirit of greater Moderation--[in the House of Burgesses]. . . ."[17] The House of Burgesses which assembled in May, 1774 was dissolved by Governor Dunmore because of its response to the Boston Port Bill after a twenty-one day session. Thus the councillors had been instrumental in the calling of this meeting

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[15]William Nelson to Edward Hunt, May 11, 1771, W&M (1), V, 149-55.

[16]June 16, 1774, EJCV, VI, 574.

[17]June 17, 1774, ibid., VI, 578.

of the General Assembly.[18]

At the last meeting, in May, 1775, eleven councillors were still alive. The oldest from the standpoint of service was Thomas Nelson, who continued to serve for the early part of the revolutionary period as president. The next most active man was Richard Corbin, the deputy auditor-general and a councillor since 1750 who maintained his office through 1775. In 1776, he made the attempt to talk to Dunmore and, though nominally neutral, he leaned to the Tory side. William Byrd III, a councillor since 1754 and scion of the Byrd family, had been beset by many problems for years due to his gambling. He was offered the command of the Virginia state troops which he refused, and then he asked Lord Jeffrey Amherst for a British command which he did not get.

In 1757-58, three more scions of old families were commissioned as councillors, and they served until the war. Philip Ludwell Lee, the oldest of Thomas Lee's six sons and the wealthiest, did little to expand his fortunes and died shortly before the Revolution started. John Tayloe II succeeded his father in 1757 and served an undistinguished term to the Revolution. Robert Carter II joined the council at the same time but retired in 1771 and sat out the last

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[18] JHB, 1773-1776, 73-132.

of the colonial period. During the 1760's, two more relatively unimportant councillors were appointed: George William Fairfax who succeeded his father in 1768, and Robert Carter Burwell whom everybody opposed, sworn in 1764. The early 1770's was the period of a number of appointments. Ralph Wormeley, junior, was the first councillor arrested by the Committee of Safety. Camm succeeded Horrocks as the commissary and became councillor in 1772. John Page, junior, in the interest of Lord Dunmore, was appointed in 1773. He was a close friend of Thomas Jefferson, and on May 2, 1775, was the only councillor to suggest that Dunmore hand over the arms and ammunition to the people. For this suggestion, he drew an outraged verbal attack by Dunmore. Page, politically, was of a newer generation than his contemporary Wormeley, who was the same age. Gawin Corbin was the last man appointed.

These councillors except Page were the remnants of a group of men who, though American in place of birth and ideals, had as they said been the "guardians of the people" and "the Prerogatives of the Crown." They had over the years fought to establish themselves as independent under the royal authority. Now, in the crisis which their course in past years had stimulated, these men were lost, because for the first time, the royal authority was gone, and their friends, neighbors, and children were in arms. Some

of the old councillors maintained their station dutifully as their obligation with the support of the lower house, but they were incapable of maintaining themselves long.[19]

In Pennsylvania, the council went out of existence suddenly, and there was no attempt to maintain it as the governing body. Five months after the last official royal council meeting in Virginia, the governor's council of Pennsylvania met for the last time too. On October 5, 1775, the councillors discussed the election returns of the Pennsylvania counties and certified the results as official.[20] Then the advisory institution which had been a part of the proprietorship for over ninety years adjourned. The councillors of 1775 were the remaining elite of the Pennsylvania proprietorship. Serving as a council, they

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[19]See Appendix A. William Byrd to Jeffrey Amherst, July 30, 1775, VMHB, XIX, 312. Hillsborough to Thomas Nelson, Feb. 11, 1771, PRO CO 5/1349 #41, VCRM. Dunmore to Hillsborough, July 26, 1772, PRO CO 5/1350, #86, ibid.: same to same, Dec. 18, 1772, PRO CO 5/1351, #8, ibid., Lord Dunmore to Richard Corbin, Feb. 5, 1775, VMHB, XXX, 84. Ralph Wormeley, Jr., to John Grymes, April 4, 1776, in "Virginia Legislative Papers," VMHB, XVIII, 373-77. Morton, Robert Carter of Nomini Hall, 41, 44-45, 54. Lee, Lees of Virginia, 145. Evans, "The Nelsons: A Biographical Study of a Virginia Family in the Eighteenth Century," 232.

[20]Frank K. Etting, An Historical Account of the Old State House of Pennsylvania (Boston, 1876), 25. Oct. 5, 1775, MPC, X, 270. Much of the material on Pennsylvania in this chapter has been published in James L. Anderson, "The Impact of the American Revolution on the Governor's Councillors," Pennsylvania History, XXXIV, 131-146.

had little power, but as holders of some fifty or more other positions, leading members of the best social groups, and owners of land and businesses, their influence permeated the colony.

In October, 1775, the men faced a personal crisis as they witnessed the rising tide of public feeling against the mother country, a tide which threatened to engulf those who represented the past. The councillors were loyal first to the proprietor, and any loyalty they felt towards the Crown was channelled through him. To protect proprietary privileges, those who represented the Penns had to follow a moderate course in an attempt neither to aggravate the Crown nor the Pennsylvania Committee of Safety. Leaning too far either way would have destroyed their position.

The Pennsylvania councillors of 1775, unlike their counterparts in Virginia, were one of the most accomplished groups of men to hold that position. John Penn, proprietor and twice governor of Pennsylvania, had been born in England, but he had been associated with the council since 1752 and had married into the prominent Allen family.[21] Despite his close ties with Pennsylvania, he was not well

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[21] Colonial Families of Philadelphia, edited by Jordan, 8-9. Howard M. Jenkins, "The Family of William Penn," PMHB, XXII, 76-82. Eva Eve Jones (editor), "Extracts from the Journal of Miss Sarah Eve, 1772-1773," ibid., v. 197.

liked by the colonials. Nevertheless, he made America his permanent home and wrote from England in 1772 to Benjamin Chew that if "I was once more in America . . . I should never wish to see England again."[22] Even though he liked America, he had to protect his position, and so he refused to call the Assembly to discuss the Boston Port Crisis of June, 1774.[23] Penn believed that moderation would best solve the colonies' difficulties. As he explained: "Every step will be taken that can [be] to keep things in as moderate a state as possible. . . ."[24] Still he was basically opposed to a change in government which might upset the proprietary control of Pennsylvania.[25]

Chew, chief justice and "prime minister" to John Penn, was one of the foremost colonial legal minds and the teacher of other well-known members of the legal profession. In the years before the Revolution, he signed the non-importation agreement of 1765 and associated socially, if

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[22]John Penn to Benjamin Chew, August 27, 1772, in Society Miscellaneous Collection, HSP.

[23]Charles Thomson, "Early Days of the Revolution in Philadelphia," PMHB, II, 416-18.

[24]John Penn to Lady Juliana Penn, May 31, 1774, "Letters of John Penn to Lady Juliana Penn," PMHB, XXXI, 234.

[25]"Extracts from the Diary of Dr. James Clitherall, 1776," Ibid., XXII, 469.

not politically, with the delegates to the First Continental Congress including John Adams and the Virginia delegation. But Chew remained apart from the Revolutionary leaders because, while he was not loyal to the crown, he was attached to the proprietors.[26]

Tilghman, secretary of the land office and councillor since 1767 had asked the official Pennsylvania stamp distributor to resign and like Chew he signed the non-importation agreement.[27] As the years progressed, Tilghman expressed concern about the growing unrest in the colonies. He wrote to Henry Wilmot, an associate of Lord Dartmouth, the American Secretary of State, that "My Liberty, my Fortune, and perhaps my Life may be involved in the matters now in Agitation. . . ."[28] Tilghman further suggested that the British ministry establish an American assembly to control domestic affairs and taxation.[29] Wilmot communicated

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[26]Konkle, Benjamin Chew, 106. Jenkins (editor), "Fragments of a Journal Kept by Samuel Foulke of Bucks County," PMHB, V, 73. C. Page Smith, James Wilson (Chapel Hill, 1956), 23. C. R. Hildeburn, "Francis Hopkinson," PMHB, II, 315. Diary and Autobiography of John Adams. Edited by L. H. Butterfield (4 vols., Cambridge, 1961), II, 136-37.

[27]Colonial Families of Philadelphia, edited by Jordan, 516-17. Armine N. Hart, "Robert Morris," PMHB, I, 334. Willing Letters and Papers, 1731-1821 (edited by Thomas W. Balch (Philadelphia, 1922), 38.

[28]James Tilghman to Henry Wilmot, Oct. 2, 1774, PMHB, VI, 359.

[29]Ibid.

Tilghman's suggestions to Lord Dartmouth, and Tilghman, upon receipt of this information, lamented that "I hope his Lordship will consider my Letter as . . . private Sentiments . . . For the times make it almost unsafe even to think with moderation."[30]

Another councillor was Edward Shippen, junior, a lawyer and a member of the council since 1770.[31] In 1765, the Stamp Act aroused him and in commenting on the approaching crisis he wrote: "After the first of November, we may call ourselves the Slaves of England."[32] He opposed the Stamp Act but he did realize the economic penalties which could be forced on those who disobeyed the law. Shippen, who determined to abide by the law, was motivated by economic concerns in his support of the English position.

Andrew Allen, the newest councillor, was the son of the Chief Justice of Pennsylvania and a brother-in-law of John Penn. For the years prior to the revolution, he had worked on committees opposing British measures. In June of 1775, he had become a member of the Committee of

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[30]Tilghman to Wilmot, Oct. 29, 1774, ibid., 361.

[31]Colonial Families of Philadelphia, edited by Jordon, 103. Lawrence Lewis, "Edward Shippen," PMHB, VII, 19-20.

[32]Lewis B. Walker, "Life of Margaret Shippen, Wife of Benedict Arnold," PMHB, XXIV, 119.

Safety.[33] Almost a year later in May, 1776, a coalition of Philadelphia upper classes elected him to the Second Continental Congress. Allen's election represented the last stand of the moderates in Philadelphia.[34] He attended Congress for a while, but did not sign the Declaration of Independence and soon stopped attending. Allen was confused by the nagging question which he asked John Adams: "How do you intitle yourselves to English Privileges?"[35] A search for an answer was the motivation for many of his actions during the early part of the revolution.

Of the remaining six councillors, William Logan and Richard Peters died before the end of 1776.[36] James Hamilton, with the coming of the revolution, retired to the country because of ill-health.[37] Cadwalader, despite

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[33] Scharf and Westcott, History of Philadelphia, I, 284, 298; II, 1505; III, 1768.

[34] Ibid., I, 311, Smith, James Wilson, 81.

[35] Diary and Autobiography of John Adams, edited by Butterfield, II, 127.

[36] Tolles, George Logan (Philadelphia, 1957), 17. Scharf and Westcott, History of Philadelphia, II, 872. Eberlien and Lippincott, The Colonial Homes of Philadelphia, edited by Jordan, 30, 1105-06. Cummings, Richard Peters. Judge Richard Peters to William Rawle, Sept. 22, 1825, in PMHB, XXIII, 209.

[37] James H. Peeling, "James Hamilton," DAB, VIII, 186-87.

his age and length of service, took an active role in the Revolutionary movement. Although he can be described as a moderate, he had during the years of crisis signed the non-importation agreement and presided over the "Great Tea Meeting."[38] Joseph Turner had served as a member of a county committee of correspondence and had given cannon shot to the Committee of Safety. He then developed a distrust of the Revolutionary movement and faded into oblivion.[39] The last councillor was Richard Penn who had been appointed by his brother in 1764 to the "particular Satisfaction and pleasure" of the council. He had served as governor from 1771 to 1773 and then was briefly returned to council. In August, 1775, he returned to England carrying the "Olive Branch Petition," of the Second Continental Congress to George III.[40]

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[38]Dulles, "Sketch of the Life of Dr. Thomas Cadwalader," PMHB, XXVII, 264, 269, 272, 274-75. Scharf and Westcott, History of Philadelphia, II, 1580.

[39]Konkle, Benjamin Chew, 89. Scharf and Westcott, History of Philadelphia, I, 292-93. Edward F. DeLancey, "Chief Justice William Allen," PMHB, I, 207.

[40]Colonial Families of Philadelphia, edited by Jordan, 9. Jenkins, "The Family of William Penn," PMHB, XXII, 86-90. Diary and Autobiography of John Adams, edited by Butterfield, II, 140. The Diaries of George Washington, 1748-1799, edited by John C. Fitzpatrick (4 vols., New York, 1924), II, 1111. Scharf and Westcott, History of Philadelphia, III, 2270. December 29, 1763, MPC, IX, 101.

The councillors of both colonies were the leaders of the financial, social, and political life of their respective areas, although the Virginia councillors were no longer as dominant as the men in Pennsylvania. In both instances, not only were they councillors but they were welded together by blood, marriage, and business associations. Despite their similar backgrounds, each councillor reacted in a different way to the impact of the split with England when independence was declared in July, 1776.

At that time, of the eleven Virginia councillors alive, one was in England, one had been arrested, two had been elected to Revolutionary offices, three were still functioning at their old jobs, and four had retired. Fairfax, who had gone to England in 1773, was trapped there and never returned. He was unhappy in this situation and, because of his continuing correspondence with Washington, who was acting as the manager of his estates, Fairfax was suspect in England. He retired to the countryside around York and spent part of his estate in aiding American prisoners. Not only was he suspect in England, but in Virginia his estates were sequestered. Still it appears that Fairfax was moderately in favor of the American cause, and at the end of the war the ex-councillor wrote Washington to congratulate him on the successful outcome of the

war.[41]

Some of the other Virginia councillors were harassed too. The most bothered was Ralph Wormeley, junior, who in a letter written to John Philip Grymes indicated his interest in the British cause. The letter was intercepted and turned over to the Committee of Safety. Wormeley was brought before the committee and released on £10,000 bond. He tried to petition for his safety but the convention ordered him into exile in Berkeley County.[42] In 1778, he wrote:

> After a very long, inconvenient and expensive confinement I have my hopes of once more regaining that liberty, which every freeman pants for when deprived of . . . I have neither levied nor adhered to, [nor] aided abetted the enemy.[43]

Wormeley pursued his course until in 1781, his estate "Rosegill" was plundered by a Tory privateer.[44] At that point, he started looking much more favorably on the revolutionary cause.

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[41]"Footnotes," Writings of George Washington. Edited by Fitzpatrick, (39 vols., Washington, 1931-44), I, 5-6; Washington to G. W. Fairfax, March 11, 1778, ibid., II, 62-63; same to same, July 10, 1783, ibid., XXVII, 57-58.

[42]Chronological Sketch of Ralph Wormeley, junior, in the Berkeley Family Papers, Alderman.

[43]Wormeley to Mann Page, junior, May 11, 1778, ibid.

[44]Petition of Ralph Wormeley, junior, and others to the Governor of Virginia, Sept. 8, 1781, Calendar of Virginia State Papers (11 vols., Richmond, 1875-93), II, 404-05.

Probably the most Tory of the councillors was Richard Corbin who had always been opposed to the patriots. In 1776, Dunmore urged him to try for reconciliation. After Corbin spent several months in this vain attempt, he retired, but his sons left for England. Corbin "remained there [in Virginia] during the War being a very old Man. He never took part with the Americans, but was obliged to conform."[45] His son, Gawin, retired too and died in 1779. Camm, because of his Tory sympathies, was fired by the Board of Visitors from his position as President of William and Mary in 1777 and died two years later.[46]

There were four other men who did not become involved but probably did sympathize to some extent with the Tories. William Byrd III, after at least condoning the Tory position, committed suicide in 1777. John Tayloe II, who had mild Tory feelings, was elected to the Council of State, but he declined by stating:

> Truely sensible of the Honor done me, by your Hon'ble House in choosing me a Member of the Privy Council, and of the Duty I owe to my Country, and of the Respect I owe to them, yet conscious of my own inability and sensible of the Advances of

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[45] "Richard Corbin, junior," in American Loyalists Transcripts of Manuscript Books made for New York Public Library, 1896, (Microfilm at CW), II, 226.

[46] "Proceedings of Virginia Committee of Correspondence," VMHB, X, 354-55.

> Old age, tho' slow in its approaches, by Divine blessing, dreading the fatigues & troubles of Public Life, I must beg leave to Resign, asking under you appointments & to lead the remainder of my days in retirement.[47]

The other men were Burwell and Carter. Burwell retired to the country where he died in 1777. Carter, although apparently unhappy at the events, renounced the king and spent most of his time selling goods to the American troops. He owned one-fifth of the Baltimore Iron Works to which he transported raw materials but was restricted at times by the Council of State from taking such items out of Virginia. Despite these problems, Carter, who can at best be described as non-interested, made money out of the war.[48]

Of all the councillors, only two were supporters of the new regime. Secretary Nelson presided over Virginia for almost a year and was the Tidewater candidate for first elected governor of the state of Virginia. He lost to Patrick Henry by a vote of 46-61. He then declined to sit on the Council of State and retired to his home in York-

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[47]Tayloe to Council of State, Oct. 9, 1776, VMHB, XVII, 367.

[48]Morton, Robert Carter of Nomini Hall, 39, 54-56. Robert Carter to Thomas Whiting, Sept. 4, 1779, Brock Collection, Henry Huntington Library, (CW microfilm.).

town where he sat out the war. When Cornwallis occupied the town in 1781 and the American-French army surrounded it, Nelson remained. After several days of bombardment, Cornwallis permitted General Thomas Nelson to remove the old secretary into American lines. He was favorable to the American cause but due to age and infirmities he was incapable of active participation.[49]

The most active of all the councillors in both colonies was John Page, junior. From the beginning of the conflict, he served the revolutionary cause in Virginia. As a member of the Committee of Public Safety, Councillor of State, and Lieutenant-governor under Henry, he was one of the most prominent members of the old families in the new state government. In 1779, he was only narrowly defeated by his old friend Jefferson for the governorship. He made the switch to the new government without hesitation or even a break in his career.[50]

No matter what course the Virginia councillors followed, they suffered political, social, and economic relocation. For the councillors who had been second on the social procedence list of 1774 no longer held auto-

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[49]Evans, "The Nelsons: A Biographical Study of a Virginia Family in the Eighteenth Century," 232, 345-46.

[50]Woodfin, "John Page," DAB, XIV, 137-38.

matically a high social position. No longer was Williamsburg the hub of their universe because the capital had been moved, as had the ruling group of men. Still, restrictions were not too severe, old men were allowed to live in peace, and old friends such as Fairfax and Washington maintained their correspondence.

Probably the greatest change was in the economic area. Fairfax's estates were confiscated, Secretary Nelson lost heavily in the decline of trade, John Tayloe II was almost bankrupt, as Byrd had been before the war, and Wormeley estimated that he had lost £10,000 as a direct result of the war. In part, these losses were caused by business and trade being constricted by the war and not as a result of economic pressures brought to bear on the ex-councillors.[51]

Although these men suffered, most had a firm enough financial foundation to recover. Robert Carter II survived the war very well. In compiling a list of the one hundred leading landholders of Virginia during the early 1780's, Jackson T. Main worked the land records for this period. If these records are any indication of the impact of the war on landholdings, the councillors survived in good

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[51]Genealogy, VMHB, XXXVII, 83. "Rules of Precedency," ibid., XVI, 87-88.

financial shape. The names of six ex-councillors were on Main's list. Four of them--Robert Carter II, Nelson, Ralph Wormeley III, and Fairfax--had estates worth more than £40,000. Carter was the third wealthiest man in the entire state owning at least 60,000 acres. Besides Carter, Fairfax had 50,000 acres; Nelson 18,165; Wormeley, 15,707; Corbin, 8,324; and Page, 6,015. In other words, the councillors, who were among the wealthiest men in Virginia after the war, must have survived the war without too much loss.[52]

At the end of the war in Virginia, five of the councillors had died, one was living in England, and five were in Virginia. The impact on the aristocrats of the council was a strange phenomenon in Virginia. Of the six living, Fairfax, Corbin, and Secretary Nelson were all retired, while Wormeley, Carter, and Page had a future ahead of them. Though these last three continued in leading active lives, never again would a group consisting of a Nelson, a Byrd, a Burwell, a Carter, a Page, a Corbin, and a Wormeley meet together to govern. It was not a true social revolution in Virginia because of the continuation of men from a similar stratum and state of mind, but a

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[52]Main, "The One Hundred," W&M (3), XI, 372-83.

different element of the like-minded men of Virginia had taken over the government. The Revolution had changed all of their lives, but the impact of the war had not been great. It was a time of relocation and reorientation, not of radical turnover. Almost all of the councillors maintained their friends, their land, and part of their wealth.

The war had perhaps more of an impact on the Pennsylvania councillors. After the Declaration of Independence, the Pennsylvania councillors pursued more diverse courses than those in Virginia. Richard Penn was in England, Cadwalader helped the patriots, two died, and the other seven had assumed a position of neutral moderation leaning to the British side. With a time of decision at hand, these men remained silent so that they would not jeopardize their position. Because of their adherence to the proprietorship, there was no other reasonable position these men could have taken. To have supported either side would have doomed the proprietary which they all served. In fact throughout the war only Allen, Richard Penn, and Cadwalader took a semblance of a stand. The others determined only to continue to live in Pennsylvania. Chew's position was best described by Joseph Dennice who wrote: "His object was reform rather than revolution--redress of grievances rather

than independence."[53]

The days until November, 1776, passed without any restrictions being imposed upon them in spite of the fact that "Radicals" controlled the state, a new constitution had been written and several battles had been fought. The calm was broken in November when a rumor circulated that the Supreme Executive Council intended to arrest some two hundred members of Pennsylvania society and transport them to North Carolina. Panic spread among those who anticipated finding their names on the list. The rumor hastened the time of decision and many fled. Of the councillors, only Allen elected to join the British.[54]

During the next year, Allen followed the British Army and reentered Philadelphia with it in September, 1777. Under the British occupation, Allen, Joseph Galloway, and other old Pennsylvania leaders attempted to reestablish the past. Later that fall, a rumor spread that Allen was

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[53]Joseph Dennice, Port Folio, February, 1811, quoted in Konkle, Benjamin Chew, 298.

[54]Henry J. Young, "Treason and Its Punishment in Revolutionary Pennsylvania," PMHB, XC, 292-93. See Young's article for a discussion of the panic which seized the conservatives as a result of this rumor. Young believes and my research supports his thesis that many of the conservatives wanted only to be left alone and that a more tolerant attitude would have won over many more to the patriot cause.

to be the new Lieutenant-governor. But with the obvious weakening of the British forces, Allen went to England for the duration of the war. Shortly before he sailed, the patriot assembly in Lancaster, passed a bill of attainder confiscating his property.[55]

With the conclusion of peace, Allen wrote his old friend James Hamilton to explain his actions during the war years. Allen realized that the result of the war give him "little Prospect of ever returning . . . without Sacrifices, which my Honor & my feelings will forbid me to make." He concluded by saying that he had found new friends in England, and had traveled through the British Isles and the continent. Allen, having lost more than any other councillor in either colony, made the best of his new situation.[56]

While Allen became a Tory, Cadwalader was the only councillor to devote the remainder of his life to the patriotic cause. He contributed much to establishing medical services for the army by examining doctors and

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[55]"The Diary of Robert Morton, 1777," PMHB, I, 7. "Diary of James Allen, Esq. of Philadelphia, Counsellor-at-law, 1770-1778," ibid., IX, 425. Scharf and Westcott, History of Philadelphia, I, 377.

[56]Andrew Allen to James Hamilton, February 3, 1783, Dreer Collection, Letters of Members of the Old Congress, HSP.

soldiers to see if they were qualified for military duty. But as a patriot, Cadwalader opposed the radical constitution of 1776 and signed a petition calling for a convention to revise it. He also expressed great indignation over the treatment of his friends at the hands of the radicals. Cadwalader, a patriot but not a radical, abhorred the excesses of 1777 and 1778 against those who tried to remain neutral. He died in 1779.[57]

Between the patriot and the two loyalists, the remaining councillors were found. Each felt the impact of the Revolution upon his personal life, fortune, political status, and social class. At first, Tilghman, Chew and John Penn continued to devote themselves to protecting the remaining privileges of the proprietorship.[58] Chew kept open the office of the register general of deeds until January, 1777. Despite these attempts to maintain some semblance of their old rights, the former councillors encountered progressive restrictions each month by the new leaders of Pennsylvania. Several, especially Shippen,

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[57]Dulles, "Sketch of The life of Dr. Thomas Cadwalader," PMHB, XXVII, 276. Two medical certificates of Cadwalader dated Feb. 2, 1776, and June 1, 1776 in Autograph Collection of Simon Gratz, HSP. Petition May 6, 1777, ibid., case 1, box 14. Cadwalader to John Dickinson, (1777), Logan Papers, vol. 8, 82, HSP.

[58]James Tilghman to Council of Safety, Jan. 3, 1777, Society Collection, HSP.

thought the war would destroy their fortunes "whatever may be the state of our liberties. . . ."[59] Nevertheless, he believed "a private station [to be] . . . a post of honor."[60]

In July, 1777, the blow came to their liberties. The Supreme Executive Council issued warrants for the arrest of the old proprietary officers. Chew, Hamilton, Tilghman, Shippen, and Penn were included. For the next year, they lived a harried existence. At first, they were to be sent to Virginia, then to New Jersey. Chew upon being served the warrant and brought before the committee strongly protested, arguing,

> that it was subversive not only of my Rights as A Freeman but of the first Principles of natural Justice to prejudge me unheard . . . that it struck at the Liberties of every one in the Community and that it was a Duty I owed to myself as well as the public to oppose it.[61]

Chew was a man of principle and the law. He was in this instance fighting for trial by jury and the right to be heard before being judged.

Finally the council paroled Chew and Penn to New Jersey, Tilghman and Hamilton to their homes, and Shippen

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[59]Edward Shippen to Father, Jan. 18, 1777 in Lewis, "Edward Shippen," PMHB, VII, 27.

[60]Edward Shippen to father, March 11, 1777, ibid., 28.

[61]Statement of Benjamin Chew, Aug. 6, 1777, Transcript of Manuscript in Chew Papers, Cliveden, in National Park Service, Independence Hall.

fled into Philadelphia during the British occupation. Because of their lack of enthusiasm for the crown, this harrassment brought a reaction from moderate patriots and was the first step in opening the postwar society to the former councillors.[62] One man wrote to Hamilton, "The Reports we have received of your Sufferings & those of the Rest of the Council, have indeed affected us much."[63]

Restrictions were not severe and old friends began to rally to the councillors' aid. Thomas Willing vouched to Robert Morris for Chew's good behavior. Thomas McKean spoke for the patriotism of Shippen, and Hamilton was given the freedom of his home area. In various fashions, the restrictions were ameliorated and in July, 1778, all disabilities were lifted after each took the oath of allegiance.[64]

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[62] Scharf and Westcott, History of Philadelphia, I, 343-45. Colonial Families of Philadelphia, edited by Jordan, 511. Konkle, Benjamin Chew, 146, 149, 151. John Penn to Edmund Physick, Aug. 27, 1777, Society Miscellaneous Collection, HSP. "Diary of James Allen, Esq. of Philadelphia, Counsellor-at-law, 1770-1778, PMHB, IX, 289, 292.

[63] William Baker to James Hamilton, April 7, 1778, James Hamilton Papers, HSP.

[64] Thomas Willing to Robert Morris, Feb. 6, 1778, Willing Letters and Papers, edited by Balch, 68. Walker, "Life of Margaret Shippen, Wife of Benedict Arnold," PMHB, XXIV, 426. James Hamilton to Supreme Executive Council, 1777, Society Collection, HSP. Scharf and Westcott, History of Philadelphia, I, 395.

Chew, Tilghman, Penn, Turner and Hamilton, obeyed the restrictions. Shippen returned to Philadelphia to become intimate with the British as was Chew's family, but these relationships were more social than political. Actually it was the young female members of each family who were the great favorites of the British officers and in particular of Major John Andre. When the British left, Shippen remained and received the revocation of his parole with the rest. Later in December, he complained that he was moving to the country because of the expense of city living.[65]

The councillors spent the remainder of the war becoming accustomed to the new situation. The private lives of all were affected. Penn found himself restricted and fervently looked towards the day when he could write a letter without restraint.[66] However, he accepted all directives from the Supreme Executive Council in a vain attempt to protect his land. For Hamilton, these years were "times of affliction."[67] Shippen faced the most

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[65] Nancy Shippen Her Journal Book. Edited by Ethel Armes (Philadelphia, 1935), 22. Charles H. Hart, "Did Peggy Shippen (Mrs. Arnold) And her Sisters attend the Meschiznza," PMHB, XXIII, 119-20. Lewis, "Edward Shippen," ibid., VII, 29. Konkle, Benjamin Chew, 175. Scharf and Westcott, History of Philadelphia, II, 899.

[66] John Penn to Lady Juliana Penn, July 20, 1778, Autography Collection of Simon Gratz, Case 2, Box 33a, HSP.

[67] James Hamilton to Edward Shippen, Oct. 25, 1779, James Hamilton Papers, HSP.

difficult private situation because his daughter Peggy who had been infatuated with Andre, married Arnold. Following the treasonable conduct of Arnold, Shippen protected his daughter and finally escorted her to the British lines at New York.[68]

Social attachments also were changed. These men had once been among the social elite of Pennsylvania. Representatives of old colonial factions who had feuded before the war now were forced together in the backwash of the Revolution. Chew and Joseph Galloway in colonial days represented opposite political and social camps. But in the revolutionary period, the Chews and Mrs. Galloway became quite close. Realignment of social preferences was part of the war.[69]

The major impact during the Revolution, aside from loss of political position, was economic. The war affected the financial status of all. Chew went back to work as a lawyer for the Penn family to earn money. Then he rented and later sold his Philadelphia townhouse. When he bought it back ten years later, he paid three times the amount

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[68]Scharf and Westcott, History of Philadelphia, I, 389. Walker, "Life of Margaret Shippen, Wife of Benedict Arnold," PMHB, XXV, 152.

[69]Raymond C. Werner (editor), "Diary of Grace Growden Galloway, 1779," PMHB, LVIII, 170-71. Chew told Mrs. Galloway on July 2, 1779, that he had "little hopes of ye English doing anything. . . ."

he had received for it. Finally he was forced to sell land every year at reduced prices in an attempt to remain solvent.[70]

The Penn family lost land by confiscation. Though John Penn took the oath of allegiance on November 29, 1779, the State Legislature seized all proprietary lands save the private manors. Quitrents were abolished and £130,000 sterling was appropriated by the assembly as indemnity for the Penns.[71]

The councillors suffered economic loss not only in land but also in taxes and inflation. Though none had their former salaries, all still had to support the war effort. Chew paid £166 in taxes on land for which in peace-time he paid less than one-tenth that amount.[72] One need

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[70]Konkle, Benjamin Chew, 191, 198, PA (3), XX, 129, 262, 400, 671. Chew owned in Armagh Township in Cumberland County, 1,700 acres in 1779; 1,000 acres in 1780; and 875 acres in 1781.

[71]Wilbur H. Siebert, The Loyalists of Pennsylvania (Columbus, Ohio, 1920), 63-64. "Diary of James Allen, Esq., Counsellor-at-law in Philadelphia, 1770-1778," PMHB, IX, 440. John Penn's Petition to Assembly of Pennsylvania, Cadwalader Papers, Box 5c, HSP. Jenkins, "The Family of William Penn," PMHB, XXI, 425.

[72]PA (3), XIX, 486, 537, 616, 686. The tax assessment on the same 5,000 acres in Wyoming Township in Northumberland County was £166 in 1781, £125 in 1782, £9.15 in 1785 and £11 in 1786.

only to consider the Supply tax list of 1780 for Philadelphia which listed the property valuation of many of the former councillors to get some idea of how much they were taxed. Turner, Shippen, John Penn, Chew and Tilghman had real and personal property valued at over £800,000 in the city alone.[73] Shippen best summarized their situation in a letter to his father when he wrote, "The Taxes begin to grow enormous, and we that live only on what we had before feel it most."[74]

Besides taxes, Hamilton was bitter about the financial drain caused by the issuance of paper money. With its collapse, Shippen lost heavily.[75] At the war's conclusion, Hamilton provided the best summary of the impact of the war,

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[73] Ibid., XV, 212, 222, 237, 238, 240, 243, 244. Property valuation and taxes assessed in Philadelphia were: Turner, £257,00--taxes £847; Shippen, £180,000--taxes £368; John Penn (part), £32,000--taxes £20; Chew, £184,000--taxes £398; and Tilghman, £120,000--taxes £240. See also Main, "The Revolution and the Legislatures," W&M (3), XXII, 393. Main described those holding property worth over £5,000 as wealthy. All the Pennsylvania councillors fit this category if the value of the pound here is the same as that used by Main and even if not, the councillors retained plenty of wealth.

[74] Edward Shippen to father, Dec. 22, 1780, in Walker, "Life of Margaret Shippen, Wife of Benedict Arnold," PMHB, XXV, 162.

[75] James Hamilton to Edward Shippen, April 26, 1781, James Hamilton Papers, HSP. Nancy Shippen Her Journal Book, edited by Armes, 73.

> it is impossible not to be deeply affected with the distasteful situation of my nearest Relatives, all attainted, Banished and deprived of opulent fortunes, for their attachment to what They and I believe most others (except the ambitious, the vicious & the Bank rupts) thought a very honourable Cause. I . . . have a very ample fortune remaining; But I would nevertheless be glad to give any man £10,000--who would restore it to the state it was in the year, 1776.[76]

Hamilton died shortly after he wrote this letter. Notwithstanding their complaints about privations during the war period, the councillors' treatment was mild, much of their fortunes were left intact, and they were still respected.

After the Revolution, the councillors, who were still living, adjusted to the surroundings created by eight years of war. The Pennsylvania councillors like the Virginians who lived through the war in order to return had to adjust to new positions, join different social groups, and move more in the background of post-war society. In Pennsylvania, this group has been succinctly described as the "National Society."[77] The development of this new social group started soon after the war. A Mrs. Shoemaker

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[76]James Hamilton to John and Robert Barclay, April 18, 1783, James Hamilton Papers, HSP.

[77]Ethel Rasmusson, "Capital on the Delaware: The Philadelphia Upper Class in Transition, 1789-1801." (Unpub. Ph.D. dissertation, Brown University, 1962), 12.

reported in 1783

> [the Tory party] have prudently determined as they can not exist in retirement either at . . . [Penn's home] or any where else out of public places, to join the others, and Gov. [John] Penn and Lade . . . and all their intimates are now as happy at Mrs. Stewarts; . . . at the French Ministers, or in other Whig Society, as ever they were in the select circle they once were principals of.[78]

Such a new group did not develop in Virginia for a number of reasons. Because of lack of a central living center such as Philadelphia, Virginia society continued to center around the plantation. Also neither Williamsburg nor Richmond were the centers of the nation as well as the state. And finally, the old Virginia society more or less continued into the state society without too much change.

Of the six living Virginia ex-councillors, three played almost no role after the cessation of hostilities. Fairfax died in 1787, as did Richard Corbin, and Secretary Nelson died a year later. Corbin spent part of his remaining years petitioning the new government to permit his Tory sons to reenter the state. Other than this effort, these men faded into the background. New careers were

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[78]Mrs. Rebecca Shoemaker to her Husband Dec. 13, 1783, in Jenkins, "The Family of William Penn," PMHB, XXII, 85.

carved out by the other three ex-councillors who lived into the nineteenth century. Page and Wormeley lived out their lives in Virginia while Carter moved to Baltimore in 1793 to pursue his business career.

During and after the Revolution, Carter had participated in mercantile and manufacturing businesses. Besides strengthening himself financially, he supported the new Federal constitution. Because of this support, he made his first attempt in more than thirty years to run for public office when he tried to be elected to the Virginia convention of 1788, but he lost. With this defeat, he gave up politics but maintained his interest in the political theory of the constitution. Despite his support of the constitution, he was an agrarian and he believed that the north had received all the benefits from the new document.

In 1793, realizing that Nomini Hall was no longer the center of his universe, he moved to the more congenial atmosphere of Baltimore. He maintained his business contacts until he died in 1808. Carter was a "free" thinker in religion and a businessman, but not a practical politican. He moved gracefully from the old colonial society to the new independent order. His life clearly demonstrates that there was not that much difference on an individual basis

between the two orders.[79]

The other two ex-councillors were more successful in their political careers. John Page, who continued rising in the political hierarchy, capped his political career by serving as governor of Virginia from 1802 to 1805. Thus he attained the position which he had only narrowly lost to Jefferson in 1779. In the intervening years, Page had served in the House of Delegates and as a Virginia congressman. Page also was a supporter of the new federal constitution. Upon receiving word from James Madison that the constitution had been ratified in 1788, the future governor and ex-councillor rejoiced "with the joyful News of the Ratification of the Plan of the federal Constitution . . . I heartily congratulate you on the brightening Prospects of Our Affairs. . . ."[80] Though he was in the center of Virginia politicans for almost forty years, Page was a wheelhorse and not of the stature of Washington, Jefferson, or Madison. Yet he should be placed in a special niche of his own because he of all the councillors in the two colonies maintained his prewar appointive position through

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[79]Morton, Robert Carter of Nomini Hall, 56-61, 268-76.

[80]Page to James Madison, August 8, 1788, Madison Papers, Alderman.

postwar election and appointment for all of these years. He demonstrates most clearly that Virginia supported a man because of his place, rank, family, financial status, and ability. Former royal service proved to hold no odium for him.

Wormeley had a much more checkered post-Revolutionary career. Towards the end of the war, and after his plantation had been looted by a Tory privateer, Wormeley moved to accept the new regime but he also reestablished his contacts with Charles James Fox in an attempt to open rapidly good relations with England. In 1782, he wrote to Fox that "I have lived ever since here [at Rosegill] in Privacy, never having solicited any public employment, and too unpopular to succeed, if it had been my desire."[81] During 1783, Wormeley tried to get permission for part of his family who had served in the British army to return to Virginia and also he attempted to secure the return of his slaves which had been confiscated by the British. He even wrote to Fox soliciting his support on these matters.[82] Finally he promised Fox that

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[81] Wormeley to Fox, (1782), Manuscript Sketch of Ralph Wormeley, junior, in the Berkeley Family Papers, Alderman.

[82] Same to same, Aug. 8, 1783, W&M (1), VII, 81-3.

> When a cordial and amicable intercourse shall take place, and interests of this Country be knitted with Britain as closely as I apprehend they may be, I shall most readily and faithfully communicate to you every circumstance of public transaction, that may have a tendency to the accomplishment of so desirable an end.[83]

After the initial problem resulting from the revolution Wormeley settled into the new government fairly well even though he maintained to the end his aristocratic outlook about government. Nevertheless he was elected to the state conventions of 1788, 1794, and 1795. He was also elected as a member of the House of Delegates for the terms of 1787, 1789, 1790, and 1793.[84]

Wormeley was a supporter of the Federal Constitution of 1787. He was cheerful about the prospect of a change in the government. He happily wrote,

> the Federal convention . . . in its composition [has] men of abilities, experience, and integrity; whom opinion and confidence follow we may expect some reform; and as many imperfections in our government are obvious and superficial and not difficult to remedy. . . .[85]

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[83]Same to same, Aug. 15, 1783, Wormeley Papers, Alderman.

[84]Manuscript Sketch of Ralph Wormeley, junior, in Berkeley Family Papers, Alderman.

[85]Wormeley to J. R. Grymes, Aug. 25, 1787, Wormeley Papers, Alderman.

Yet seven years later he had become disillusioned about the attempt for he expressed the opinion that "our internal government, one but lately formed on the popular consent, and on republican principles, is already confused by armed insurgents. . . ."[86] Wormeley had certain very aristocratic feelings and he was always pro-British. From the offer to Fox to his pleasure over the Jay Treaty, Wormeley hoped for a close relationship with England because he believed that the treaty would "cure that animosity and jealousy, which have subsisted between the two Countries ever since independence. . . ."[87]

In 1796, Wormeley went down to election defeat for the House of Representatives. When he wrote explaining his defeat, the bitterness of the preceding twenty years was found in his words. Wormeley had never wanted the change and so he wrote

> in the list of Representatives from Virginia, you will not find my name. The fact is, I have never pursued popularity, nor it me; the opinion and conduct I held in the late war have never been forgotten, nor forgiven, and, it has been impossible for me (without making sacrifices, which my principles would never

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[86]Wormeley to Richard Graves, Nov. 4, 1794, ibid.

[87]Wormeley to William Anderson of London, March 20, 1795, ibid.

> suffer me to make) to rise up against the prejudices that were entertained against me in public motives and fear.[88]

Wormeley never changed his ideas but he did accept the new government. After his defeat, he lived in retirement until he died in 1806, perhaps the last vestige of the old colonial ideas of the government.

These three ex-Virginians each represent a different trend of the impact of the Revolution. Page suffered almost no loss in this revolution and continued to accumulate offices. Carter dropped out completely as a political figure but survived as a business man. And Wormeley because he never changed his beliefs, continued to work hard as an Anglophile. But as Virginia shifted Wormeley with his old-fashioned beliefs was left behind to be bitter. Thus each man felt the war in a different way.

The emergence of the ex-councillors in Pennsylvania was much different. Eleven councillors had been alive on Independence Day, 1776. By the Treaty of Paris in 1783, five had died, two had moved to England, and four had chosen to stay in Pennsylvania. The six living men, facing a new way of life, attempted to find positions in the post-war society, but they now found themselves on the fringes

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[88] Wormeley to _____, July 30, 1796, ibid.

of power. Since most of them lived in and around Philadelphia, they were able to integrate into society first and then back into political jobs. It was the Constitutional Convention of 1787 which stimulated the emergence of the "National Society" with the old colonial leaders as a part. During the convention, the old councillors played host to many of the delegates. Washington reported dining on several occasions with John Penn and Chew, and he even attended the wedding of one of Chew's daughters proving that pre-war friendships had not been wholly destroyed.

With the establishment of a new government at Philadelphia, these old colonials became a part of the Republican court. Chew rejoined the Society of Saint Tammany and then became a master of the Philadelphia Dancing Assembly. Tilghman appeared again on the muster roll of the City's Troop of Volunteer Light Horse.[89] Shippen and Penn were also members of the National Society which was a composite of the old families, newcomers, Whigs, old tories, and the "tory-tinged neutrals."[90]

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[89]Rasmusson, "Capital on the Delaware," 56-57. Diary of George Washington, edited by Fitzpatrick, III, 217-18, 220. Konkle, Benjamin Chew, 296. Cabeen, "The Society of the Sons of Saint Tammany," PMHB, XXVII, 37.

[90]Rasmusson, "Capital on the Delaware," 38.

As long as the new government was centered in Philadelphia, the old councillors were among a congenial social group. Though different in membership, its aristocratic tastes and federalist outlook were akin to their desires. With the moving of the capital, the coming of the Jeffersonians, and the death of many members by the early 1800's, Chew and Shippen became anachronisms in their society as had Ralph Wormeley in his. Thus the social changes which had been strong during the war actually tapered off after the war and in the end were caused more by death than the Revolution.

The economic impact of the Revolution was continued into the post-war years. Allen and Richard Penn, living in England, attempted to obtain compensation for their losses. Allen lost property in Pennsylvania valued at over £150,000. His land was sold to pay part of the Pennsylvania war debt and to finance the University of Pennsylvania. Because he worked with the American loyalist claims, Allen received a pension of £400 per year from the English government.[91] In 1792, he returned to Philadelphia to receive

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[91]PA (6), XII, 159, 161, 310, 339, 562. Allen's land in Philadelphia total £61,000; in Northampton County, £57,000; in Bucks County, £18,600 plus other land in Berks and Luzerne County. Also in one instance when he was permitted to sell, Allen received £4 to £4.7 per acre for land which the state received £39 to £48 per acre.

a pardon from the governor and to visit his daughter, by then the wife of the first British minister to the United States. During this visit, he attempted to secure the money owed to him. With the signing of Jay's Treaty between the United States and Great Britain in 1794, Allen again tried to recover his money under article six of the treaty. While he did not succeed, he helped to strain diplomatic relations between the two countries in 1802 by his legal suit. The case finally collapsed and Allen returned to the English countryside where he died in 1825.[92]

Richard Penn likewise had claims against both the British and Pennsylvania governments. He claimed over £944,000 for loss of estates and damages caused by British troops on his property. He received part compensation from the Pennsylvania government and £4,000 annually from the British government.[93]

The four former councillors in America succeeded quite well in reestablishing their economic positions. John

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[92]The state assumed £15,083 owed to Allen by various debtors. See The Claim and Answer with the Subsequent Proceedings in the Case of Andrew Allen, Esquire, Against the United States under the Sixth Article of the Treaty of Amity, Commerce, and Navigation Between His Britannic Majesty and the United States of America (Philadelphia, 1799), 1-4, 9. Bradford Perkins, The First Rapprochement (Philadelphia, 1955), 118-19. Edward F. DeLancey, "Chief Justice William Allen," PMHB, I, 208-09.

[93]Scharf and Westcott, History of Philadelphia, I, 386, Siebert, The Loyalists of Pennsylvania, 65. State of Pennsylvania in General Assembly, December 24, 1784, Penn-Physick Papers, I, 90, HSP.

Penn worked at restoring his proprietary lands, Chew and Tilghman became Penn family lawyers, and Shippen went into the mercantile business. Because these men retained a good portion of their land and had other diversified holdings, their return to an active business life opened pathways to the reconstructed world of post-war Philadelphia.[94] With their new jobs, salaries from legal fees and government offices, and the continued flow of funds from land acquired before the war, they continued their position among the wealthy of Philadelphia. The impact economically had been more transitory than permanent in their cases.

The final impact to be considered is in the political sphere. Before the war, the councillors were political leaders whose loyalties resided more in the proprietorship than the crown. Because of this lack of involvement with royal authority, several participated in the early movements leading to the Revolution. During the Revolution, all lost their colonial offices. After the treaty of peace was signed, two of the men returned to political positions in the United States and Richard Penn achieved a minor political career in England.

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[94]Benjamin Chew to Edmund Physick, Sept. 16, 1785, Penn-Physick Papers, Vol. 7, HSP. John Penn to Benjamin Chew, April 21, 1788, in PMHB, XXII, 245. Edward Shippen to his brother, Jan. 16, 1784, Papers of Shippen Family, Vol. 8, HSP; same to same, Feb. 14, 1785, ibid. Konkle, Benjamin Chew, 203.

The English Penn was returned as a member of the House of Commons in 1784. Though never a leader in the Commons, he supported William Pitt and was mentioned as a possible minister to the United States in 1789. Richard Penn retired from the House of Commons in 1808 to make a trip with his family to Pennsylvania. After living briefly in Philadelphia, he returned to England and died in 1811.[95]

In Philadelphia, Shippen and Chew followed their emergence in the economic and social community by a return to politics. The year 1784 marked a renaissance for Shippen. He resumed his residence in Philadelphia, was elected to two judgeships, and a year later was elected to two more. Though there was little contemporary comment about his return, it seems obvious that family connections, Whig acquaintances, and his own legal knowledge aided his remarkable recovery. Shippen had returned and from his remarks, the turn of events pleased him greatly.[96]

Several years later, in 1789, Shippen, mentioned for one of the new federal judgeships, seems to have played

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[95] Sir Lewis Namier and John Brooke, The House of Commons, 1754-1790 (3 vols., New York, 1964), III, 261-62. Colonial Families of Philadelphia, edited by Jordan, 9.

[96] Lewis, "Edward Shippen," PMHB, VII, 30. Colonial Families of Philadelphia, edited by Jordan, 103. Edward Shippen to his brother, Oct. 2, 1785, Papers of Shippen Family, vol. 8, HSP.

an important role in the conception of the Judiciary Act that established the federal court system. In a letter to Robert Morris, Shippen expressed his beliefs concerning the laws to be used and the different courts needed. Many of these suggestions appear to have been transcribed into the Judiciary Act. Though he did not receive the federal judgeship, Shippen became an associate judge on the Pennsylvania Supreme Court in 1791.[97]

Chew's reemergence took shape along lines similar to those of Shippen. In 1790, the time of the counter revolution described by Robert L. Brunhouse, the Federalists secured the incorporation of Philadelphia as a city.[98] In the new city government, Chew won a place on the mayor's council. Then in his seventieth year, Chew was appointed President of the High Court of Errors and Appeals.[99] The return of old colonials like Chew and Shippen at this time certainly supports the idea of a political reaction.

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[97]Edward Shippen to Robert Morris, July 13, 1789, Society Miscellaneous, HSP. Hildeburn, "Francis Hopkinson," PMHB, II, 323. Thomas Levy to George Reade, Sept. 22, 1789, Reade Papers, HSP. Levy believed Shippen should be a federal judge because of his "superior knowledge and capacity."

[98]Robert L. Brunhouse, Counter Revolution in Pennsylvania (Philadelphia, 1942), 221. Smith, James Wilson, 296-97.

[99]Samuel Chew to Benjamin Chew, June 3, 1789, PMHB, XXIV, 388-89. Colonial Families of Philadelphia, edited by Jordan, 512.

Though Shippen and Chew made the switch to support the new government as Federalists, they lived on as aged ornaments among the emerging forces of the new republic. Their colonial order and friends had made this brief political resurgence possible, but death began to remove the old. Tilghman died in 1793, and Shippen wrote "when I see one friend after another taking his departure, I seem to be left behind in a strange County, and think it high time to prepare to follow them."[100] Two years later, John Penn died. With these two deaths, only two of the original eleven were left on the American side of the Atlantic.[101]

In the remaining years of their lives Chew and Shippen continued in their judicial positions with Shippen advancing to be chief justice upon the election of McKean as governor in 1799. The only serious problem to confront both was the Democratic-Republican assault on the judiciary. In February, 1804, a new Pennsylvania Judiciary Act abolished the High Court of Errors and Appeals and Chew, its president,

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[100]Edward Shippen to William Tilghman, Sept. 5, 1793, Gratz Collection, HSP.

[101]Feb. 9, 1795, McKean Papers, HSP. It should be noted that though John Penn continued living in Pennsylvania, he never fully accepted the new regime. In 1789, he wrote, "I hope your New Government may succeed though it must be some time before you can be settled. You certainly wanted some changes when I left you for Honor & Honesty seemed to be very thinly sown amongst the worthy patriots of America." Penn to Thomas Parks, August 4, 1789, Gratz Collection, HSP.

lost his position in 1806. The members of the Pennsylvania assembly impeached Shippen because of his handling of the Passmore case, but they failed to gain the two-thirds vote necessary to convict him. Shippen resigned a year later and died in 1806. Chew lived until 1810.[102]

During the first decade of the 1800's, the old colonial councillors passed from the scene in Pennsylvania. With their deaths, a group of men who had devoted themselves to the advancement of their interests, the Penn family, and Pennsylvania, was gone. But even with their passing, family names were carried on by their children. Several of the sons became prominent. George Logan was an United States Senator; Andrew Allen, Jr., became a British consul; Lambert Cadwalader, a congressman; William Tilghman, a Chief Justice of the Pennsylvania Supreme Court; and others did well as lawyers, merchants, and doctors.

The daughters of the councillors married into prominent families. Margaret Allen married the first British minister

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[102] James H. Peeling, "Governor McKean and the Pennsylvania Jacobins, 1799-1808," PMHB, LIV, 324. Konkle, Benjamin Chew, 279, 280, 283-84. Edward Shippen to Edward Burd, Jan. 8, 1805, Society Collections, HSP. See also William Hamilton, Report of the Trial and Acquittal of Edward Shippen, Esquire, Chief Justice, and Jasper Yeates and Thomas Smith, Esquires, Assistant Justices, of the Supreme Court of Pennsylvania, on an Impeachment before the Senate of the Commonwealth. January, 1805 (Lancaster, 1805).

to the United States; Peggy Chew, a governor of Maryland who later became president pro tem of the United States Senate; Margaret Cadwalader, a Treasurer of the United States; Elizabeth Tilghman, a Senator; and so forth. The children of these men married with the Norrises, the Fishers, the Dickinsons, the Merediths, the Allens, and the Burds to name only some of the more prominent ties. Though most of their fathers had not taken a firm patriotic position, no stigma was attached to their names. The councillors thus passed to their children a family name honored and untarnished.[103]

The impact upon the councillors was eased by the nature of the war and by the moderation of the post-war society in both Virginia and Pennsylvania. Certainly these men felt the force of the Revolution, but it was basically a Revolution aimed at exchanging one government for another. Since these men were representatives of the old government, they naturally had to make for themselves a new position if they were to continue. Yet the mere fact that most of the more vigorous ex-councillors, Ralph Wormeley, John Page, Benjamin Chew, and Edward Shippen returned shows that the political order was not changed too much. Also all of the councillors were political moderates and were not radical

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[103]Keith, The Provincial Councillors of Pennsylvania (Philadelphia, 1883), 16, 49, (57-70), 331-58, 373-94, 401-09.

in either cause.

The social and philosophical changes which the Revolution set off were slow in maturing as is evidenced by the attacks of the Democratic-Republicans upon Chew and Shippen in Pennsylvania, and the turning out of Wormeley in Virginia. As was seen, Wormeley's previous Tory stand was used against him in 1796. These attacks demonstrated the awakening of new political forces and the gradual understanding of the forces which were unleashed in 1776.

Despite the political pressure asserted during the war, the economic changes were not drastic. During the war, it is obvious that all suffered with the possible exception of Carter. Despite the upheaval of the Revolution all who remained in America maintained some semblance of their former economic position. Since the Pennsylvanians were wealthy, they recovered easier than the Virginians.

The return or continuation of former councillors in political office demonstrates several ideas too. The acceptance of Chew and Shippen, both colonial lawyers and judges, after the war illustrates the need of the new governing classes for the skills of the old, and for the air of continuity and legitimacy their services brought. Their membership in the new society personified the connection to the colonial legal and governmental traditions.

The Virginia situation was somewhat different. Page was a product of the same age group as Jefferson and Madison. He was more a herald of the new among the old when he served on the council. His continuation in office clearly demonstrates a subtle change in the Virginia philosophy of politics yet he was definitely the inheritor of the family, financial, and political traditions of colonial Virginia.

Wormeley on the other hand though the same age as Page was of the old. Though he was elected to office after the war, he was basically an English Whig. As an anglophile and friend of Fox, it is understandable why Wormeley was voted out in 1796. He accepted the new government, worked for it, but never contributed much. Carter who never changed and never really understood the new government, functioned only on the local level as a justice of the peace. The Virginia situation was different from Pennsylvania in so far as the attention paid by Virginians to tradition and family heritage was a different manifestation of the desire of the new governing class to have the traditions of the old incorporated. In Pennsylvania, the old councillors provided their legal knowledge and in Virginia, they provided their personal inheritance of position and status. Both elements brought legitimacy to the new order.

Finally the colonial social and family connections of the men softened the effect of the Revolution upon them and held open the door of the republic to them. Old legal students, friends, in-laws, and memberships in various organizations served as bridges from the old to the new. And with these bridges, despite their passing with age, the councillors preserved their family name and entailed it to their posterity without tarnish. This is particularly true in Pennsylvania.

Virginia, on the other hand, is a little different case. The councillors of the revolutionary period were the last representatives of their family to maintain high level state positions. Though their blood continued to flow; none of the children of these Virginia councillors were as prominent in the future as their fathers had been. The Virginia councillors of the revolutionary generation were definitely not the most important men in the colony. So in a way a mild social change had started before the war and was continued after it. Virginia was changing and did so earlier than Pennsylvania. So there was a definite decline in those particular families of Virginia that were represented at the last council meeting. Further the Virginia councillors of 1775 were not of the same caliber or ability as their counterparts in Pennsylvania.

The council as an institution was maintained in a form similar to the old colonial council in both the revolutionary constitutions. In the new Pennsylvania constitution, the council had to some extent more authority than the colonial one and in some ways was a throwback to the pre-1701 council of Penn's second charter. It is obvious that there was little or no bias against such an institution or group. The impact of the Revolution definitely had its effect but it may be measured only in subtle changes. The society had started to change in Virginia prior to the outbreak and in Pennsylvania, the old councillors were used for their ability.

Thus the impact of the Revolution was upon individuals not upon the stratum of the society and the changes affected had started long before and continued long after the outbreak of the war. The lives of the councillors in the era of the American Revolution demonstrates that the Revolution only changed the supreme authority of the government at a time when the country was expanding so fast that the older aristocrats were being swamped by the increase in population and new ideas. All of the councillors were representatives of a ruling tradition based on family, wealth, and connections. These men performed their duties faithfully which provided the mainspring of the colonial government and in return, they were able to further their

own interests. Through these men, the first attempts at independent action were fostered and passed on to younger leaders on the rise. These councillors of Pennsylvania and Virginia were definitely a part of the Americanization of the British colonies before the revolution started.

CONCLUSION

The governors' councillors were among the most prominent men in the American colonies. These men exercised great influence in social, economic, and political matters, and they were active in fulfilling their executive, legislative, and judicial duties according to the constitutions of their colonial governments. They were the elite of the colonial society. Based on the previous discussion, it is possible to draw a number of conclusions about the councillors in the two colonies considered.

The councillors in both colonies maintained an active interest in legislative functions. In Virginia, the council was a part of the General Assembly and thus had to pass every measure which became a Virginia law. To the end of the colonial period, the councillors maintained their right to initiate legislation, to approve lower house bills, to hold joint committee sessions with Burgesses, to discuss bills, and if necessary to veto acts of the lower house. Besides these formal constitutional, legislative functions, the councillors also worked informally with particular burgesses from time-to-time to influence and aid in the passage of important legislation. These informal legislative connections

were caused in part because men from both houses were members of the same social and economic strata of colonial Virginia society. Because they were like-minded men, minor and even major disruptions did not cause a permanent break.

In Pennsylvania, the situation was far different. Even though the Pennsylvania councillors were stripped of their legislative duties between 1693 and 1701, nevertheless, they asserted themselves after 1701 to the extent that the proprietor recognized their influence and permitted the council to have in effect a veto over the actions of the lower house. In this way the Pennsylvania Council maintained its legislative influence through the eighteenth century. Even as late as the 1750's, the legislative importance of the Pennsylvania councillors was emphasized. Thus both councils had power over legislative matters.

Besides their legislative functions, the councillors either singly or in a group were the bureaucrats of the seventeenth and eighteenth century in Virginia and Pennsylvania. The councillors in as much as they held the majority of important royal, proprietary, and colonial offices constituted the machinery of government. Councillors served as the most important judges, as militia officers, as key figures in the church, and as central officers in the collection of taxes and quitrents. Because of the array of offices which they held, the councillors provided day-to-

day leadership in the government. Though the lower house may have had more legislative power during an assembly session, the councillors spent more of their year in the active workings of the government. By the 1750's, some of the councillors were spending more than six months a year in government service. Because of this fact, the councillors exercised considerable power over the entire inner workings of the government.

The councillors, because of their active participation in government, jealously guarded their prerogatives and privileges from authority outside of the colonies. Members of the Pennsylvania Council in the 1680's and 1690's, and members of the Virginia Council from the 1690's to the 1720's, contested either the gubernatorial or proprietary authority. Early in the colonial period, this group of men at the apex of the governmental structure thought of themselves as American and sought to protect their American rights. This can be seen in their business involvements, their opposition to the governor, and their pleasure at living in America. Because the Pennsylvania councillors were not usually locally-born, they identified with the proprietary of Pennsylvania rather than with the provincial Quaker party. The majority of the Virginia Council, however, from the 1690's was American-born. It was from this period that opposition was mounted towards the royal authority. The

councillors were in a unique position being colonists but holding English commissions. Though they faithfully served the interests of the crown and the proprietary, it can be said that these men were among the first to promote the uniqueness of America.

With their interest in America, the councillors in both Virginia and Pennsylvania were in the forefront of those concerned with educational and philanthropic causes. The councillors probably because of the number of educated men among them took an active role in the establishment of colleges, hospitals, and learned societies. Also they were an active group of writers who produced a number of distinguished eighteenth century books and pamphlets. Further, because of their European educations, the councillors contributed to the transferral of legal knowledge, medical information, and other scholarly ideas to America by revising legal codes, writing pamphlets, and teaching in the colleges.

The councillors contributed to the economic advancement of the colonies through acting in their own interests. The chief concern of most of the councillors was their own financial gain. They used their positions and formed companies for both the advancement and protection of their interests. From these connections, the councillors spread themselves throughout the entire colony, promoted foreign and domestic

trade, and stimulated western expansion and land speculation.

In their promotion of American interests, these councillors were not afraid to govern the colony. The periods when Thomas Lloyd, Edmund Jenings, James Logan, and William Nelson were acting governors demonstrate the ability of the councillors to rule. When the Revolution drew near, Secretary Nelson acted as president for almost a year and came close to being elected governor of Virginia. Despite the rise of the lower house leadership, the councillors in these two colonies were respected for the ability and their leadership was acknowledged. Even though they had governed when the situation arose and they were not afraid to oppose the English authorities, the councillors were apart from the radical group leading to the Revolution. The councillors early in the eighteenth century had shown the way to opposition; but with the stabilization of their position, others more forceful than they carried the colonists to Revolution. This is understandable.

Finally, the councillors through all of their business, economic, social, political, and family connections developed informal relationships which were an integral part of the colonial society. Their influence through these connections permeated the entire colonial structure. In politics, they had influence on all legislation passed; in the government,

they were responsible for its daily functioning; in the social world, they were among the leaders and arbiters of taste; and in the colonial business world, their varied business connections were spread throughout the colony and connected them with England. The members of the governors' councils of these two colonies were a leading part of colonial society and much of the early development of these two colonies is owed to them. Through both their formal and informal connections, the councillors composed the most important body in their colony. In fact, there is no other comparable group with so much power. By thus dissecting an institution into its human elements, we are able to understand better the significant contributions of the council and its members to colonial life and politics.

APPENDIX A

The biographical sketches have been compiled from all available sources listed in the bibliography. An attempt has been made to limit most of the sketches to the relavent information about the individual.

Abbreviations used in the sketches:

b. born
p. parents
e. education
m. spouse
R. residence
o. occupation
Rel. religion
GP. governmental and other important positions
AR. American Revolutionary position
in. relatives on the Council
d. date of death
B. bibliography

Allen, Andrew (1770-1775), b. 6/1740 in Philadelphia; p. William Allen; e. University of Pennsylvania; m. Sally Cox (1768); R. Philadelphia; o. Lawyer; Rel. Anglican; GP. Common Councillor (1767); Attorney-General (1769), Recorder of Philadelphia (1769), Committee of Safety (1775), Second Continental Congress (1776); AR. Tory to London (1778); in. John Penn; d. 3/7/1825 (London); B. Keith, MPC IX, DAB

Allerton, Isaac (1687-1691), b. 1630 in Massachusetts; p. Isaac Allerton and Faith Brewster; R. New Haven, New Amsterdam, Westmoreland Co.; o. planter; Rel. Pilgrim, Anglican; GP. burgess (1668-77, 1682); d. 1702 (Virginia).

Alrichs, Petr (1684-90, 1697-8), b. Sweden; R. Pennsylvania; o. Farmer and trader; Rel. Lutheran; GP. Sheriff and Commandant-South River (1670), Commander-in-chief-Newcastle (1693).

Armistead, John (1688-1691), b. ____ in England; m. Judith Beverley; R. Gloucester; o. planter; Rel. Anglican; GP. burgess (1685), justice (1680), Lt. Colonel, vestry-Kingston Parish; in. Robert Carter, Ralph Wormeley II, William Churchill, Robert Beverley; d. 1697 (Gloucester).

Assheton, Ralph (1728-1746), b. 11/30/1695 in England; p. Robert Assheton; R. Philadelphia; Rel. Anglican; o. lawyer-farmer; GP. Deputy Clerk of Council, Town Clerk (1716-1745), Common Councilman (1724), Vestry-Christ Church; in. Robert Assheton, William Assheton, the Penns; d. 1746 (Pennsylvania).

Assheton, Robert (1711-1719, 1722-1727), b. 1669 in England; R. Philadelphia; Rel. Anglican; o. Lawyer; GP. Town Clerk (1701), Recorder of City (1708), Prothonotary of Supreme Court (1722-6), Master of Chancery (1722), Vestry-Christ Church; in. William Assheton, Ralph Assheton, the Penns; d. 1727 (Philadelphia).

Assheton, William (1722-1723), b. 1690 in England; p. Robert Assheton; e. Gray's Inn; R. Philadelphia; Rel. Anglican; o. Lawyer; GP. Judge of Admiralty, Assembly, Master of Chancery, Vestry-Christ Church; in. Robert Assheton, Ralph Assheton, the Penns; d. 9/23/1723 (Philadelphia).

Bacon, Nathaniel, senior (1657-1691), b. 1619 in England; R. York County; Rel., Anglican; o. planter; GP. Auditor-General (1675-1687), burgess (1655-1656, 1658-1660), President of Council (1687-1690); in. Nathaniel Bacon, junior, Lewis Burwell II; d. 3/16/1692 (Virginia).

Bacon, Nathaniel, "The Rebel" (1675-1676), b. 1641 in Norfolk, England; e. St. Catherine Hall-Cambridge, Gray's Inn; R. Henrico County; o. planter; Rel. Anglican; GP. burgess; in. Nathaniel Bacon, senior; d. 1676 (Virginia). B. DAB, Wilcomb Washburn, The Governor and the Rebel, Chapel Hill (1957).

Ballard, Thomas (1670-1677), b. 1630 in England; R. James City County; o. planter; Rel. Anglican; GP. Clerk of York County (1652), burgess,(1666, 1680-1682, 1685-1686), Speaker (1680-1682), Vestry-Bruton Parish; d. 3/24/1689 (Virginia).

Barnes, John (1685-1688), R. Pennsylvania; Rel. Quaker.

Bassett, William (1702-1710, 1715-1723), b. 1670 in Virginia; p. William Bassett; m. Joanna Burwell; R. New Kent; o. planter, Rel. Anglican; GP. burgess (1692-1702), Vestry-St. Peters; in. Lewis Burwell II; d. 10/11/1723 (Virginia).

Beale, Thomas (1670-?), Rel. Anglican; GP. Justice of the Peace, York County, Vestry-Bruton Parish.

Bedwell, Thomas (1700-1700) R. Pennsylvania.

Bennett, Richard (1639-1649, 1658-c. 1675), b. England; R. Nansemond, Maryland (1642); Rel. Quaker, Nonconformist, Anglican; o. planter; GP. burgess, (1629, 1631), Governor (1652-1655), Agent to England (1655), Major General of militia (1666); d. 3/15/1674/5 (Virginia).

Berkeley, Edmund (1715-1718), b. 1674 in Virginia; m. Lucy Burwell; R. Middlesex; o. planter; Rel. Anglican; GP. county lieutenant, vestry-Middlesex; in. Lewis Burwell, II; d. 3/27/1719 (Virginia).

Beverley, Peter (1720-1728), b. 1668 in Virginia; p. Robert Beverley; m. Elizabeth Peyton (1688); R. Gloucester; o. planter; Rel. Anglican; GP. Clerk of House of Burgesses (1691-1699), burgess (1700-1714), Speaker (1700-1705, 1710-1714), Clerk of Gloucester Co. (1702-1714), Treasurer (1710-1723), Auditor-General (1716-1718), Surveyor-General (1716-1728); in. Robert Beverley, William Randolph, Henry Whiting, William Beverley; d. 1728 (Virginia).

Beverley, Robert (1676-1679), b. 1641 in England; m. Mary Kreble, Catherine Armistead Hare; R. Middlesex County; o. planter, surveyor, lawyer; Rel. Anglican; GP. Clerk of House of Burgesses (1670, 1680-1683), Justice of Middlesex (1673), Major of Militia, Deputy Auditor-General, Vestry-Middlesex; in. Peter Beverley, John Robinson, John Armistead; d. 3/15/1686 (Virginia).

Beverley, William (1752-1756), b. 1698 in Virginia; p. Robert Beverley Jr., and Ursula Byrd; m. Elizabeth Bland; R. Essex; o. planter, Lawyer, and land speculator; Rel. Anglican; GP. Clerk of Essex Co., (1716-1745), County Lieutenant of Orange and Augusta (1741), burgess (1736-1749); in. Peter Beverley; d. 3/1/1756 (Virginia).

Biles, William (1683-1684, 1694-1700), b. in Dorsetshire, England; R. Bucks; Rel. Quaker; GP. Assemblymen to 1705.

Blair, James (1694-1695, 1696-1697, 1701-1743), b. 1655 in Scotland; e. Edinburgh; m. Sarah Harrison; R. Williamsburg; Rel. Anglican; o. minister, commissary, college president; GP. Commissary (1689-1743), President of William and Mary (1693-1743), Acting governor (1740-1741); in. Benjamin Harrison, John Blair; d. 4/18/1743 (Virginia). B. DAB

Blair, John (1745-1770), b. 1687 in Virginia; p. Archibald Blair; e. William and Mary; R. Williamsburg; o. Land speculator; Rel. Anglican; GP. Deputy Auditor-General (1728-1737), Naval officer (1727), burgess (1734-1740), Auditor-General (1737-1771), Mayor of Williamsburg (1751), President of Council (1758, 1768), Vestry-Bruton Parish; in. Robert Carter Burwell, James Blair; d. 11/7/1771 (Virginia). B. DAB.

Bland, Theodrick (1665-1671), b. 1/16/1629 in London; m. Anne Bennett; R. St. Lucas, Spain, Charles City County; o. merchant; GP. burgess, (1659, 1661), Speaker (1659, 1661), Justice of Charles City (1664-1665); in. Richard Bennett; d. 1680 (Virginia).

Blunston, John (1690-1693, 1700-1706), b. ____ in Derbyshire; R. Chester County; Rel. Quaker.

Bowles, Thomas (1675-1679); R. Rappahannock; d. 1679.

Braise, Thomas (1682); b. ____ in Cheshire. (Original council in Pennsylvania).

Bray, James (1670-1676, 1678); m. Angelica ____; R. James City County and Middle Plantation; Rel. Anglican; GP. burgess, (1670), Vestry-Bruton Parish; d. 10/24/1691 (Virginia).

Bridger, Joseph (1670-1685), R. Isle of Wight; Rel. Anglican; GP. Revenue Collector, Vestry-St. Luke; d. 1687 (Virginia).

Brinkloe, John (1690-1693, 1695-1698); R. Kent County, o. ordinary keeper.

Bristow, John (1687-1690), R. Pennsylvania.

Brooke, Henry (1721-1736), R. Sussex County; Rel. Anglican; GP. Collector of Lewes (1702), Collector of Philadelphia (1704), Assembly, Speaker, Magistrate in Sussex; d. 2/6/1736 (Pennsylvania).

Browne, Henry (1634-c. 1660), b. England; m. Anne Fowler; GP. Vestry-Southwark; d. 1662 (Virginia).

Burwell, Lewis, II (1702-declined) b. ____ in Virginia; p. Lewis Burwell and Lucy Higginson; m. Abigal Smith, Martha Lear; R. Gloucester and York County; o. planter; Rel. Anglican; GP. burgess (1698); in. John Lear, Nathaniel Bacon; d. 12/19/1710 (Virginia).

Burwell, Lewis, III (1743-1752), b. 1710 in Virginia; p. Lewis Burwell, II; e. Eton, Caius-Cambridge, Inner Temple; m. Mary Willis; R. Gloucester; o. planter; Rel. Anglican; GP. burgess (1738-1744), President of Council (1750-1751), Vestry-Bruton Parish; in. Lewis Burwell II, Robert Carter (guardian); d. 1752 (Virginia).

Burwell, Robert Carter (1762-1774), b. 1716 in Virginia; p. Nathaniel Burwell; R. Isle of Wight; o. planter; Rel. Anglican; GP. burgess (1752-1758); in. Robert "King" Carter, Lewis Burwell III, John Page III; d. 1777 (Virginia).

Byrd, William I (1681-1704), b. 1653 in England; m. Mary Horsmanden; R. Henrico, Charles City County; o. planter, slaver, Indian trader, miller, and miner; Rel. Anglican; GP. Sheriff of Henrico, Justice of the Peace, burgess, Receiver-general (1687-1704), Auditor-General (1687-1704), Vestry-Westover; in. Thomas Stegg, Warham Horsmanden, William Byrd II; d. 12/4/1704 (Virginia); B. DAB.

Byrd, William II (1709-1744), b. 3/28/1674 in Virginia; p. William Byrd I and Mary Horsmanden; e. Middle Temple, Lincoln Inn; m. Lucy Parke, Maria Taylor; R. Charles City County, London; o. planter, land speculator, trader; Rel. Anglican; GP. burgess (1696-7), Reciever-general (1705-1716), Agent in England (1717-9), Commander-in-chief of Henrico and Charles City, President of Council (1744), vestry-Westover; in. William Byrd I, Daniel Parke II, William Byrd III, John Page II; d. 8/26/1744 (Virginia); B. DAB.

Byrd, William III (1754-1776), b. 9/6/1728; p. William Byrd II and Maria Taylor; e. William and Mary, Middle Temple; m. Elizabeth Shirley Carter, Mary Willing; R. Charles City, Henrico, Williamsburg; o. planter; Rel. Anglican; GP. burgess (1752-4), Colonel, Vestry-Westover; AR. Tory Sympathies; in. John Carter II, William Byrd II; d. 1/1/1777 (Virginia).

Cadwalader, Thomas (1755-1775); b. 1708; e. Royal College of Surgeons, Univ. of Rheims; m. Hannah Lambert; Philadelphia, Trenton (1739-1749); o. Doctor; Rel. Quaker; GP. Councillor, Trustee of College of Philadelphia; AR. Patriot; d. 11/14/79; B. DAB III.

Canholi, Edward (1683-1684); R. Lower Counties; GP. Sheriff of Newcastle; d. 3/10/1682/3.

Cann, John (1684-88, 1690-1693); R. Newcastle Co.

Cantwell, Edmond (1682/3-1685), R. Pennsylvania.

Carpenter, Samuel (1687-1690, 1694-1712); b. Nov. 4, 1649 in Horsham, Sussex; R. Philadelphia, West Indies, West Jersey, Bristol; o. Merchant, planter, Mill owner; Rel. Quaker; GP. Assemblyman and councillor in West Jersey, Assemblyman Pa.-Phil. (1693, 1694. 1696), Assemblyman, Bucks (1705), Treasurer of Province (1683-1713); in. William Fishbourne.

Carter, Edward, (1659); R. Virginia; in. John Carter.

Carter, John I (1658-1689), b. England; m. Jane Glyn, Eleanor Brocas, Sarah Ludlow; R. Corotoman-Lancaster, Nansemond in 1649 or before; o. planter; Rel. Anglican; GP. burgess (1654), Colonel (1655), Vestry-Lancaster; in. Edward Carter, Robert "King" Carter; d. 6/10/1689 (Virginia).

Carter, John II (1724-1742), b. 1690 in Virginia; e. Mile End School, Trinity College, Middle Temple; m. Elizabeth Hill; R. "Shirley" Charles City; o. Planter; GP. Secretary of State (1722-1742); in. Robert "King" Carter, Robert Carter II; d. 7/31/1742 (Virginia).

Carter, Robert "King" (1699-1732) b. 1663 in Virginia; m. Judith Armistead, Elizabeth Landen; R."Corotoman"-Lancaster; o. Landowner, shipping, Mill and copper mine owner; Rel. Anglican; GP. burgess (1691-2,1695-9), Speaker (1696-9), Colonel and Commander-in-chief of Lancaster, Treasurer (1699-1705), President of Council (1726-1732), acting Governor (1726-1727), Fairfax agent (1703-12, 1722-9), Vestry-Christ Parish; in. John Carter, John Armistead, John Carter II, Robert Carter II; d. 8/4/1732 (Virginia); B. DAB III.

Carter, Robert II (1758-1775), b. 1728 in Virginia; e. William and Mary, Inner Temple; R."Nomini Hall",Williamsburg, Baltimore; o. Landowner, Iron Works; AR. neutral, continued business activities; in. John Carter, Robert "King" Carter; d. 1804 (Maryland). B. Louis Morton, Robert Carter of Nomini Hall.

Cary, Miles (1665-1667), b. 1623 in Bristol; p. John and Elizabeth Herford Cary; m. Anne Taylor; R. Windmill Point, Warwick; o. merchant; GP. Major (1654), Lt.-Colonel (1657), Collector on James River (1660-5), Escheator-General (1660-5), burgess (1659-65), Col. of Militia (1660), Justice of the Peace of Warwick Co. (1652); d. 6/10/1667 (Virginia).

Chew, Benjamin (1755-1774), b. 1/29/1722 in Maryland; e. Middle Temple; m. Mary Thomas and Elizabeth Oswald; Rel. Quaker to Anglican; o. Lawyer; R. to Philadelphia in 1754, Cliveden; GP. Attorney-general (1755-1769), Recorder of City (1755-1775), Register-General (1765-77), Speaker of the Lower Assembly (1755-1756), Chief Justice (1774, 1791-1805); AR. neutral, passive; in. Joseph Turner; B. DAB IV, Burton Konkle, Benjamin Chew.

Chicheley, Sir Henery (1670-c. 1682), b. 1623; e. University College-Oxford; m. Ralph Wormeley's widow; R. "Rosegill", Lancaster; Rel. Anglican; GP. Deputy-Governor (1678-1682), Burgess (1658), Major General (1680), Justice of the Peace for Middlesex, Vestry-Middlesex; in. Ralph Wormeley,Henry Corbin, John Carter I; d. 2/5/1682/3 (Virginia).

Churchill, William (1705-1710), b. 1650 in Oxfordshire; m. Judith Armistead; R. "Wilton" and "Bushey Run", Middlesex, to Virginia in 1674; Rel. Anglican; GP. Burgess (1691-2, 1704), Vestry-Middlesex; in. John Armistead; d. 11/29/1710 (Virginia).

Claiborne, William (1626-c. 1660's), b. 1587, Westmoreland Co., England; p. Thomas Claiborne; e. Pembroke College (1617), m. Jane Buller and Elizabeth _____; R. to Va. in 1621, Hampton and Romancoke; o. Fur trader; GP. Secretary of the Colony (1625-1634, 1652-1660), commission to reduce Virginia (1652), Treasurer of Virginia (1642), Keeper of the Seal, Deputy-Governor (1650's) d. 1676 (Virginia).

Clark, William (1682-3 - 1689, 1693-1705), R. Pennsylvania, o. Lawyer; Rel. Quaker; GP. Collector of Customs (1692).

Claypoole, James (1687), b. 10/1634; R. to Pa. in 1683, Philadelphia, Bucks; o. landowner; Rel. Quaker; GP. Commissioner of Property 8/18/1684, Secretary and Treasurer of Free Society of Traders, Justice of the Peace (1685), Assembly (1685-86), Register-General of Colony (1686); d. 8/6/1687 (Pennsylvania).

Clayton, William (1682-1685), R. Chester; Rel. Quaker.

Clifton, Robert (1695-1696), R. Lower Counties; GP. Assembly for Sussex (1690); in. Thomas Clifton.

Clifton, Thomas (3/31/1690) R. Sussex; in. Robert Clifton.

Cocke, Lasse or Lawrence (1682/3-1684, 1693-1693), b. Sweden; R. Pennsylvania.

Cocke, William (1713-1720), b. 1671 in Suffolk; E. Queen's College-Cambridge; R. to Va. in 1705, Williamsburg; o. Doctor; GP. Secretary of State (1712-1720); d. 10/20/1720 (Virginia).

Cole, William (1675-1692), b. 1638 in Virginia; m. 3 wives:____, Anne Digges, Martha Lear; R. Warwick; o. planter; GP. Secretary of the Colony (1689-1692), Commander-in-chief of Warwick (1680); d. 3/4/1694 (Virginia).

Cook, Arthur (1686-1689, 1690-1693), R. Pennsylvania; GP. assistant (1687-8), Speaker.

Coppock, Bartholomew (1687/8-1693), b. Ireland; R. Pennsylvania; Rel. Quaker.

Corbin, Gawin (1775), b. 1740 in Virginia; p. Richard Corbin; e. Christ College, Cambridge; R."Buckingham House", Middlesex; Rel. Anglican; GP. burgess (1766-1771), Vestry-King and Queen; in. Richard Corbin; AR. Tory-passive; d. 7/10/1779 (Virginia).

Corbin, Henry (1663-1676), b. 1629 in Hall End, Warwickshire; p. Thomas and Winefred Corbin; m. Alice Eltonhead; R. to Va. in 1654;GP. burgess (1659) Justice of the Peace of Middlesex (1673); in. Edmund Jennings, Richard Lee II, Philip Lightfoot; d. 1676.

Corbin, Richard (1750-1776), b. Virginia; m. Elizabeth Tayloe; R. "Laneville" King and Queen Co.; Rel. Anglican; GP. Receiver-General (1754-1776), burgess (1749-50), Vestry, Stratton Major-King and Queen, AR. Tory-passive; in. John Tayloe, Gawin Corbin; d. 1787 (Virginia).

Curtis, John (1689-1693, 1697-1698), R. Pennsylvania.

Custis, John I (1677-1693), b. 1630 in Holland; R. "Arlington" in Northhampton; GP. Major General, Naval officer and Collector of Eastern Shore, Burgess (1677); in. John Custis II; d. 1/29/1696 (Virginia).

Custis, John II (1699-1713), b. 1653 in Virginia; p. John Custis I; R. "Arlington" in Northhampton, Wilsonia; GP. burgess (1685, 1692-6); in. John Custis, John Custis III; d. 1/26/1714 (Virginia).

Custis, John III (1727-1749), b. August 1678 in Virginia; p. John Custis II and Mary Michael; m. Francis Parke; R. "Arlington", Northhampton, Queen's Creek 1709; GP. burgess (1705-1718), President of Council; in. John Custis II, William Byrd II, Daniel Parke II; d. 11/1749 (Virginia).

Dandridge, William (1727-1739, 1742-43), R. "Elsing Green" King William Co.; o. Ship owner, merchant, Naval officer; Rel. Anglican; GP. Boundary Commission. Naval officer in British Navy (Military expeditions to St. Augustine and Cartagena, vestry-St. John's and King William; d. 1743.

Darvall, William (1684-1689) R. Pennsylvania.

Dawson, Thomas (1753-1760), e. Queen's College-Oxford; R. Williamsburg; o. Minister; Rel. Anglican; GP. President William and Mary (1755-61), Commissary (1752-61), Master of Indian School (1728-55), Rector of Bruton Parish (1743-59); in. William Dawson; d. 12/1761 (Virginia).

Dawson, William (1743-1752), b. 1704 in Aspatria, Cumberland; e. Queen's College-Oxford; R. Williamsburg; Rel. Anglican; GP. President of William and Mary (1743-52); in. Thomas Dawson; D. 7/20/1752.

D'Haes, Johanes (1688-1693) R. Pennsylvania.

Delaval, John (1689), R. Pennsylvania; o. Merchant; Rel. Quaker; d. 8/9/1692.

Dew, Thomas (1655-1672), b. England; R. Nansemond; Rel. Quaker; GP. burgess, speaker (1652); d. after 1670.

Dickinson, Johathan (1711-1721/22), b. 1663; o. merchant; Rel. Quaker; d. 1722.

Digges, Cole (1719-1744), b. 1692 in Virginia; p. Dudley Digges; e. William and Mary; m. Elizabeth Power; R. "Bellfield", York Co.; GP. burgess (1715-19), President of Council, Commander-in-chief of Warwick; in. Dudley Digges, d. 1744 (Virginia).

Digges, Dudley (1698, 1705-1710), b. 1665 in Virginia; p. Edward Digges, m. Susan Cole; R. "Bellfield" York; GP. Auditor-General (1705-10), burgess (1696-7), Deputy Surveyor-General; in. Cole Digges, Edward Digges; d. 1/18/1710/11 (Virginia).

Digges, Edward (1654-56, 1670-c. 1674), b. 1621 in England; p. Sir Dudley Digges; e. Gray's Inn 1637; m. Elizabeth Page; R. to Virginia in 1650, "Bellfield", York, London (1663-7); GP. Governor (1656-58), Agent of Colony, Auditor-General (1670-75), Attorney-General (1670-75), Member of Council of Foreign Plantations (1661-4), Farmer of His Majesty's Customs (25 Aug. 1669), Receiver-General (1672-5); d. 3/13/1675 (Virginia).

Dinwiddie, Robert (1741-1745), b. 1693 in Scotland; m. Rebecca _____; GP. Lt. Governor (1751-1758), Surveyor-General; B. DAB V; d. 7/27/1770 (England).

Donaldson, John (1693-1700), R. Pennsylvania.

Duckett, Thomas (1690-1693), R. Pennsylvania; Rel. Quaker.

Duke, Henry (1702-1713), R. James City Co.; GP. burgess (1692-1697); d. 1713 (Virginia).

Dyer, William (1687), R. Sussex; GP. 1st. Surveyor-General of the King's Customs, (July 1685).

Eckley, John (1689-1690), GP. Register-General (1687); d. 1690 (Pennsylvania)

Fairfax, George William (1763-1773), b. 1724 in West Indies; p. William Fairfax; R. Fairfax Co. to England in 1773; GP. burgess 1752-56, 1757-8, Justice of the Peace for Fairfax Co.; in. William Fairfax; AR. Neutral; d. 4/3/1787 (England).

Fairfax, William (1744-1757) b. 1691 in Yorkshire, England; p. Henry Fairfax; R. "Belvoir", Fairfax Co., Providence Island, New England; GP. Burgess (1742-3) army in Spanish and East Indies campaigns, County lieutenant of Fairfax, President of Council, Royal Navy, Collector of Customs at Salem, Mass., Governor of Bahamas, Proprietary Agent (1734), Governor of Providence Island; in. George William Fairfax; d. 9/3/1757.

Fenwick, Thomas (4/5/1700-12/18/1700) R. Pennsylvania.

Finney, John (1701), R. Philadelphia; o. Ship Captain.

Finney, Samuel (1701-1713), R. Pennsylvania; o. Merchant.

Fishbourne, William (1723-1731), b. 6/23/1677; m. Hannah Carpenter; o. merchant; Rel. Quaker; GP. City Treasurer (1725-6); in. Samuel Carpenter.

Fitzhugh, William (1711-1712), m. Ann Lee; R. "Eagle's Nest", Stafford Co.; GP. burgess (1677-85, 1701-3), Clerk of Stafford Co. (1701); in. Richard Lee; d. 1/1714 (Virginia).

Fitzwilliam, Richard (1725-1731), b. in England; GP. Surveyor-General 1725, Councillor in Jamacia and South Carolina; d. 1732 in England.

Forman, George (1693-1695), R. Pennsylvania.

Frampton, William (1685-1687), R. Pennsylvania; o. owner of a Brewhouse; Rel. Quaker.

French, John (1717-1724/5), R. Pennsylvania; in. Robert French.

French, Robert (1700), R. Pennsylvania; in. John French; d. 1713.

Graeme, Thomas (1725/6-1727), b. 10/20/1688 in Perthshire; e. Leyden; R. to Philadelphia in 1717; o. Doctor; Rel. Anglican; GP. Naval Officer (1719), Master in Chancery, 3rd Justice of Supreme Court (1731-50), Founder of St. Andrew's Society (1750), Vestry-Christ Church; in. Sir William Keith; d. 9/4/1772 (Pennsylvania).

Greene, Edward (1685-1687), R. Pennsylvania.

Griffiths, Thomas (1733-1743), R. Philadelphia, o. merchant; Rel. Quaker; GP. Keeper of the Great Seal (1732-1734), Judge of Supreme Court (1734-44); in. Isaac Norris; d. 1746 (Pennsylvania).

Growden, Joseph (1687-90, 1694-98), b. in Cornwall; R. Bucks; Rel. Quaker; GP. Assembly (Bucks) (1702, 1703,1704, 1705) Speaker, Judge of Supreme Court; in. Lawrence Growden, David Lloyd; d. 9/10/1730.

Growden, Lawrence (1747-1757, 1766), b. 3/14/1693/4 in Pennsylvania; p. Joseph Growden; R. "Trevase", Bucks, Philadelphia; Rel. Quaker; o. merchant, iron works; GP. Assembly (Bucks) (1734-37) Maryland Boundary Commission, Justice of Co. Court, Justice on Supreme Court; in. Joseph Growden; d. 7/1/1770 (Pennsylvania).

Grymes, John (1726-1748), b. 1692 in Virginia; m. Lucy Ludwell; R. "Brandon", Middlesex; Rel. Anglican; GP. Deputy Auditor-General (1718-24) Receiver-General (1723-45) burgess (1718-22), Vestry-Blisland Parish; in. Philip Ludwell, Philip Grymes; d. 11/2/1748 (Virginia).

Grymes, Philip (1749-1762), b. in Virginia; p. John Grymes; R. "Brandon", Middlesex; GP. Receiver-General (1749-1754), burgess (1748); in. John Grymes; d. 1762 (Virginia).

Guest, John (1701-1707), b. Staffordshire; p. Rev. Richard Guest; e. Lincoln Inn to Pembroke College-Oxford; R. to Pa. in 1700; o. Lawyer; GP. Justice of Supreme Court (1701), Chief Justice (1701-06), Presiding Justice of Philadelphia County Court (1701-06), Justice of Courts of Chester Co. (1703-06); d. 9/8/1707 (Philadelphia).

Haigee, William (1682/2-1685), b. London; R. Philadelphia, London; o. merchant; Rel. Quaker; GP. East Jersey Legislature (1686, 1688), Surveyor and Receiver-General in East Jersey, Early Commission to settle Pa.; d. 1688 (New Jersey).

Hallywell (Halliwell), Richard (1695-1700), b. Northhampton; R. Lower Counties; Rel. Quaker.

Hamilton, Andrew (1721-1723), b. 1676 in Scotland; e. St. Andrew's Glascow, Gray's Inn; m. Anne Brown; R. Accomac, Va., Maryland, Lower Counties, "Bush Hill"; o. Lawyer; Rel. Anglican; GP. Maryland Assembly (1710-13), Attorney General (1717-20), Prothonotary of Supreme Court, Recorder of Philadelphia (1727), Assembly Bucks (1727-39) Speaker (1729-39), Judge of Vice Admirality Court (1737), Master of High Court of Chancery (1723); in. James Hamilton; d. 8/4/1741 (Philadelphia); B. DAB III. Konkle, The Life of Andrew Hamilton.

Hamilton, James (1746-1748, 1763-1765, 1768-1776), b. 1710 in Maryland; p. Andrew Hamilton; o. Lawyer; GP. Assembly (1734-1739), Alderman (1741), Mayor (1745-6), Lt. Governor (1748-54, 1759-63, 1770-1, 1773), Prothonotary of Supreme Court (1753), Common Councillor (1739), Proprietary Agent; AR. neutral; in. Andrew Hamilton; d. 1783 (Pennsylvania); B. DAB III.

Harrison, Benjamin (1698-1712), b. 9/20/1645 in Virginia; m. Hannah Churchill; R. "Wakefield", Surry; o. Planter; GP. Treasurer (1705-10), Attorney-General (1697-1702), Justice of Surry, , burgess (1676, 1680-02, 1696, 1698), Charter Trustee of William and Mary, Colonel and Commander-in-chief of Surry County Militia; in. James Blair, Philip Ludwell II, Nathaniel Harrison, William Churchill, Henry Harrison; d. 1/30/1712/13 (Virginia).

Harrison, Francis (1686-1687), R. Pennsylvania.

Harrison, Henry (1731-1732), b. 1692 in Virginia; p. Benjamin Harrison; R. Surry Co.; GP. burgess (1715-1730); in Nathaniel Harrison, Benjamin Harrison, John Blair, Philip Ludwell II; d. 9/24/1732 (Virginia).

Harrison, James (1683/3-1685), b. Lancastershire; R. Bucks; o. minister; Rel. Quaker; GP. Chief Justice (1685) Justice of Bucks Co. Court, Commissioner of Property; in. Phineas Pemberton; d. 10/6/1687 (Pennsylvania).

Harrison, Nathaniel (1713-1727), b. 8/8/1677 in Virginia; p. Benjamin Harrison; R. "Wakefield", Surry; o. Planter; GP. Justice of the Peace (1698), Auditor-General (1722-28), burgess (1699-1710), Naval Officer, Receiver of Duties on Upper James; in. Henry Harrison, Benjamin Harrison, James Blair, Philip Ludwell II, Cole Digges, Robert "King" Carter; d. 11/30/1727 (Virginia).

Hartwell, Henry (1692), b. ____ in England; R. To Virginia in 1672, Jamestown; o. Lawyer; GP. Clerk of Council (1672), burgess; d. 1699 in England.

Hazle, Samuel (1738-1751), b. 1691 in Barbados; Rel. Anglican; GP. Common councillor (1728), Alderman (1729), Mayor (1731-2, 1740), Master in Chancery (1731); d. 6/13/1751.

Hicks, William (1771-1772), b. 3/10/1735 in New York; e. Middle Temple (1753); o. Lawyer; d. 5/25/1772 (Pennsylvania).

Hill, Edward I (1654-c. 1663), b. 1622 in either England or Virginia; R. "Shirley", Charles City Co. and Maryland; GP. burgess (1639, 1642, 1644, 1645, 1647, 1649-54), Speaker (1644, 1654), Rebel Governor of Maryland (1646); in. Edward Hill II; d. 1663.

Hill, Edward II (1677-1678, 1690/1-1699), b. 1637 in Virginia; p. Edward Hill I; R. "Shirley", Charles City; GP. Treasurer (1693-9), Attorney General (1679-80), Speaker (1689), burgess, Commander-in-chief of Charles City and Surry Co. Judge of Admiralty Court (1697), Collector of Upper District of James (1691); in. Edward Hill I, John Carter; d. 11/30/1700.

Hill, John (1689-1690, 1696, 1700), R. Pennsylvania.

Hill, Richard (1703/4-1729), b. 1673 in Maryland; m. Hannah Lloyd Delaval; R. Philadelphia; o. merchant, Judge; Rel. Quaker; GP. Alderman of Philadelphia (1709), Mayor (1710, 1715-7), Assembly (1705-1721), Speaker (1710-1, 1716), Master of Chancery (1720), Supreme Court (1722), Ass. Justice of Supreme Court (1711-1729); in. Thomas Lloyd; d. 9/4/1729 (Pennsylvania).

Hilliard, Jonathan (1682/3-1685), R. Pennsylvania.

Holmes, Thomas (1682/3-1686), b. 1624 in Ireland; R. Philadelphia, Ireland; Rel. Quaker; GP. President of Council (11/25/1684), Surveyor-General (1682), First Purchaser, Free Society of Traders, Justice of Philadelphia County Court; d. 1694.

Hopkinson, Thomas (1747-1751), b. 4/6/1704 in London; e. Oxford; m. Mary Johnson; R. Philadelphia; GP. Master of the Rolls (1731-41), Deputy Prothonotary (1741), Common Council (1741-51), Clerk of Orphans Court (1751), Prothonotary (1748-51), Justice (1749), Judge of Vice Admiralty Court (1745), first president of the American Philosophical Society; d. 11/5/1751 (Pennsylvania).

Horrocks, James (1770-1771), b. 1734 in England, e. Trinity College; R. to Virginia in 1761; o. Minister; Rel. Anglican; GP. President of William and Mary (1764-71), Rector of Bruton Parish (1764-1771), Commissary (1764-1771), Headmaster of the William and Mary Grammar School (1762-66); d. 3/20/1772 (in Portugal); B. DAB IX.

Horsmanden, Warham St. Leger (1657-1660), b. ____ in Kent; p. Ursula St. Leger and Daniel Horsmanden; R. Charles City Co.; Rel. Anglican; GP. Justice of Charles City (1655), burgess (1657-9); returned to England after Restoration.

Hough, Richard (1693-1700), b. Macclesfield, Chester, England; m. Marjorie Clows; R. to Philadelphia in 1683, Bucks; Rel. Quaker; GP. Bucks Assembly (1684, 1688, 1690, 1697, 1700, 1703-04); d. 5/4/1705.

Howard, Mainwaring (1660-1670), b. ____ in England; R. Virginia.

Howell, William (1690), R. Chester, (He was apparently on the council briefly.)

Jacobs, Albertus (1691), R. Pennsylvania (He was apparently on the council briefly.)

Janney, Thomas (1684-1687, 1691-1692), b. 1633 at Styall, Cheshire; R. Buck - Makefield Township (9/1683), New England (1687), Gloucester, England (1695); Rel. Quaker; GP. Justice of the Peace for Bucks; in. James Harrison, William Yardley; d. 1696 (England).

Jenings, Edmund (1691-1726), b. 1659 in Ripon, Yorkshire; p. Sir Edmund Jenings; m. Frances Corbin; R. to Virginia in 1680, "Ripon Hall",York, London; Rel. Anglican; GP. President of Council (1706-1716), Acting Governor (1706-1710), Secretary of State (1702-12, 1720-22), Attorney-General (1680-91), County Lieutenant for York (1715), Deputy-Secretary of State (1691), Collector, Naval Officer, Escheator,County Court, Clerk of County Court, Indian Agent, Vestry-Bruton Parish; in. Henry Corbin, Robert Porteus; d. 7/5/1727 (Virginia)

Jenings, Peter (1670-1671) b. 1631; GP. Attorney General ; d. 1671.

Jenkins, William (1691), R. Pennsylvania, (He was apparently on the council briefly).

Johnson, Richard (1696-1698), R. King and Queen Co.; d. 1698.

Jones, Griffin (1687-1693), b. Surry; Rel. Quaker; GP. Mayor.

Kemp, Matthew (1681-1683), R. Gloucester Co.; GP. burgess, Speaker (1678-9) County Lieutenant; d. 1683 (Virginia).

Lardner, Lynford (1755-1774), b. 7/18/1717 in London; p. John Lardner; e. Cambridge; m. Elizabeth Bronson and Catherine Lawrence; R. to Pa. in 1740, Stanwell,Middlesex; GP. Receiver-General (1742), Keeper of the Great Seal (1746-52), Justice of Lancaster (1752), Dancing Assembly, Associator, Boundary Commission; in. Richard Penn, Thomas Lawrence; d. 10/6/1774 (Pennsylvania).

Lawrence, Thomas (1728-1754), b. 9/14/1689 in New York; R. to Philadelphia in 1720; o. Merchant; Rel. Anglican; GP. Common Council (1722), Alderman (1724), Mayor (1727-8, 1734, 1749, 1753), Lieutenant Colonel of Associators (1747), Vestry-Christ Church; d. 4/20/1754 (Pennsylvania).

Lear, John (1683-1696), b. Devonshire; m. four wives; R. Nansemond Co.; GP. burgess (1666); in. William Cole, Lewis Burwell II; d. 1696 (Virginia).

Lee, Philip Ludwell (1757-1775), b. 2/24/1726/7 in Virginia; p. Thomas Lee; e. Inner Temple (1749); R. "Stratford", Westmoreland; GP. Burgess (1756); in. Thomas Lee, Gawin Corbin; d. 2/23/1775 (Virginia).

Lee, Richard I (1651, 1660-1664), b. 1613 in Shropshire, England; R. Northumberland and Westmoreland, York to 1642; GP. Secretary of State (1649), burgess (1647), Clerk of Quarter Court (1641), Attorney-General (1643), Sheriff of York Co. (1646), Clerk of Orphana Court; in. Richard Lee II; d. 1664 (Virginia), B. L.L. Montague, "Richard Lee I, The Emigrant", VMHB, LXII, 3-49.

Lee, Richard II (1677-1691, 1693-1699), b. 1647 in Virginia; p. Richard Lee I; e. Oxford; m. Loretta Corbin; R. "Mt. Pleasant", Westmoreland; Rel. Anglican; GP. burgess, Colonel of Westmoreland Militia, Collector of Potomac (1691), Naval Officer; in. Richard Lee I, Thomas Lee, Henry Corbin; d. 1714 (Virginia).

Lee, Thomas (1733-1750), b. 1690 in Virginia; p. Richard Lee II; m. Hannah Ludwell; R. "Stratford", Westmoreland; o. planter and resident agent for Fairfax; GP. burgess (1720, 1726, 1730), President of Council (1749-50), Ohio Company (1748), Naval Officer (1732), Collector of South Potomac (1732), Justice of the Peace for Westmoreland; in. Richard Lee II, Philip Ludwell Lee, John Tayloe, Philip Ludwell II, Philip Ludwell III; d. 11/14/1750 (Virginia).

Leigh, Richard (Francis) (1676-1680), R. Virginia, d. 1680.

Lermar, Philip Thomas (1682), Original Council in Pennsylvania.

Lewis, John I (1704-1725), b. 11/30/1669; R."Warner Hall", Gloucester; in. John Lewis II; d. 11/14/1725.

Lewis, John II (1748-1752), b. 1694 in Virginia; p. John Lewis I; R. "Warner Hall", Gloucester; in. John Lewis I; d. 1752.

Lewis, Samuel (1693), R. Pennsylvania.

Lightfoot, John (1697-1706), R. New Kent; GP. Auditor-General (1671); in. Philip Lightfoot; d. 5/28/1707 (Virginia).

Lightfoot, Philip (1733-1747), b. 1689 in Virginia; R. "Sandy Point", Charles City Co., Yorktown, Williamsburg; o. Attorney and Merchant; Rel. Anglican; GP. Vestry-Petrsworth; d. 5/30/1748 (Virginia).

Lloyd, David (1695-1696, 1698-1700), b. 1656 in Wales; m. Sarah Lloyd and Grace Growden; R. to Philadelphia in 1686; Rel. Quaker; GP. Attorney-General (1686-1700), Assembly (1693-5, 1703-1710, 1711-18, 1723-6), Speaker (1694, 1704-9, 1715, 1723-9), Chief Justice (1716-31); in. Thomas Lloyd, Joseph Growden; d. 2/26/1731 (in Chester); B. DAB XI. Roy N. Lokken, David Lloyd.

Lloyd, Thomas (1684-1693), b. 1640 in Wales; e. Jesus College-Oxford; m. Mary Jones, Particia Story; R. to Philadelphia in 1683, New York; o. Doctor; Rel. Quaker; GP. Master of Rolls (1683), Keeper of the Great Seal (1684), Commissioner of Property (1684), Lt. Governor (1691-3), President (1684, 1690-93), Deputy (1688); in. Samuel Preston, Issac Norris, Thomas Delaval, Richard Hill, David Lloyd; d. 9/10/1694 (Pennsylvania); B. DAB XI.

Lloyd, William (1691), (He apparently was on the council briefly).

Logan, James (1702-1747), b. 10/20/1674 in Armagh, Ireland; m. Sarah Reed; R. to Pa. in 1699, "Stenton" in Germantown; o. land investor and Indian trade; Rel. Quaker; GP. Sec. of Council (1699), Com. of Property (1701), Receiver-General (1701), Mayor of Philadelphia (1723), Chief Justice 1731-39), President (1736-38), Alderman of Philadelphia (1717), Judge of Philadelphia County (1725), Judge of the Court of Common Pleas (1727); in. William Logan, Charles Reade, Issac Norris; d. 12/31/1751 (Pennsylvania); B. DAB XI. Frederick Tolles, James Logan and the Culture of Provincial America.

Logan, William (1747-1775), p. James Logan and Sarah Read; R. "Stenton"; o. Lawyer, Rel. Quaker; GP. Common Council of Philadelphia (1743-76), Attorney for Penn family; d. 10/28/1776 (Pennsylvania).

Ludwell, Philip I (1675-1677, 1680-1687), b. 1638 in Somersetshire; p. Thomas Ludwell; m. Lucy Higginson and Francis Culpepper; R. to Va. on 1660, "Rich Neck" and "Green Springs", James City Co.; Rel. Anglican; GP. Secretary of State (1678), burgess (1688), Surveyor-General, Governor of North Carolina (1689-91, 1694), Speaker (1695), Deputy Surveyor-General of Virginia, Vestry-Bruton Parish; in. Philip Ludwell II, Thomas Lee, Thomas Ludwell; d. 1704 (in England); B. DAB XI.

Ludwell, Philip II (1702-1726), b. 2/4/1672 in Virginia; p. Philip Ludwell I and Lucy Higginson; m. Hannah Harrison; R. "Green Springs", James City Co.; Rel. Anglican; GP. Auditor-General (1711-1716), burgess (1696-7), Rector of William and Mary, Escheator, Vestry-Bruton Parish; in. Benjamin Harrison, Philip Ludwell I, Philip Ludwell III, John Grymes, Thomas Lee; d. 1/11/1726/7 (Virginia).

Ludwell, Philip III (1751-1760), b. 12/28/1716 in Virginia; p. Philip Ludwell II; m. Frances Grymes; R. "Green Springs", James City Co., London after 1760, Westminister; Rel. Anglican; GP. burgess (1744-9); in. Philip Ludwell II; d. 3/28/1766 in London.

Ludwell, Thomas (1661-1678), b. Bruton, Somersetshire; R. James City Co.; Rel. Anglican; GP. Secretary of State (1661-1678), Vestry-Bruton Parish; in. Philip Ludwell I; d. 1678 (London).

Maris, George (1691-2, 1695-1696), b. Ireland; R. to Philadelphia, Chester (1683); Rel. Quaker; GP. Justice of Chester Co. (1684-1690, 1692-3); Assembly (1684-1691).

Markham, William (1682/3-1700), b. 1635; R. Philadelphia; Rel. Anglican; GP. Secretary of Province (1685-91), Lt. Governor (1693-95), Deputy-Governor (1681), Deputy Governor of the Lower Counties (1691-93), Governor (1695-9), Register-General (1703), Commission of Property (1686), Clerk of Court; d. 6/12/1704 (Pennsylvania), B. DAB XII.

Masters, Thomas (1721-1723), R. to Philadelphia in 1687, Bermuda; o. Mill Owner, Merchant; Rel. Quaker.

Meese, Henry (1680), R. Stafford, England; GP. burgess (1666); d. 12/16/1681 (England).

Mifflin, John (1755-1759), b. 11/18/1714/15; R. Philadelphia; Rel. Quaker; GP. Common Council (1747), Alderman (1751); d. 2/4/1759 (Pennsylvania).

Moland, John (1759-1761), b. 1700 in London; e. Inner Temple; R. "Rose Hill"; o. Lawyer; d. 1/5/1761 (Pennsylvania).

Molesworth, Guy Col. (1660), GP. Colonel; B. Listed on council in VMHB XII 205.

Moll, John or Jonathan (1683-1684, 1700-1701), R. Newcastle; o. Lawyer; GP. Attorney for Duke of York.

Mompesson, Roger (1703/4-1707), b. Dorset; p. George Mompesson; e. Magdelen-Oxford, Lincoln Inn; Rel. Anglican; GP. House of Commons, Judge of Admiralty Court of New England (1703), Council of New Jersey, New York, Chief Justice of N.Y. (1709); d. 1719.

More, Nicholas (1683-1684), m. Mary Hedges; Rel. Quaker; GP. Chief Justice (1684), Secretary of Council (1683), Assembly (1684-5), Speaker (1684), President of Society of Free Traders; d. 1689; B. DAB XIII.

Morrey (Murray), Humphrey (1700-1705), R. Cheltenham and New York; o. Merchant; Rel. Quaker; GP. Mayor of Philadelphia (1692), Assembly (1687, 1690).

Morris, Anthony (1695-1698), b. 8/23/1654 in Stepney, London; m. Mary Jones, Agnes Don, Mary Codekington, Elizabeth Watson; R. to Philadelphia in 1680, West Jersey 1683; o. Merchant, Brewer, Judge; Rel. Quaker; GP. Assembly (1698-1704), Alderman (1691), Mayor (1703-04), Justice of the Peace (1691), Judge of Common Pleas (1693) Ass. Judge of Supreme Court (1694); in. Edward Shippen, Luke Watson; d. 10/23/1721; B. DAB XIII.

Moryson, Frances (1650), b. Tooley Park, England; GP. Commander of Fort at Point Comfort (1662), Colonel; d. 1678.

Nelson, Thomas (1749-1776), b. 1716 in Virginia; p. Thomas and Margaret Reade Nelson; m. Lucy Armistead; R. Yorktown; o. Merchant; Rel. Anglican; GP. burgess (1744-49), Secretary of State (1743-1776), President of Council (1773-76); AR. Patriot but not active; in. William Nelson; d. 1787 (Virginia).

Nelson, William (1745-1772), b. 1711 in Virginia; p. Thomas and Margaret Reade Nelson; m. Elizabeth Burwell and Elizabeth Carter; R. Yorktown; o. Merchant and Planter; Rel. Anglican; GP. President of Council (1770-1771), burgess (1742-4), Sheriff of York (1738); in. Thomas Nelson, Robert Carter; d. 11/19/1772 (Virginia); B. DAB XIII.

Newlin, Nicholas (1685-1688), b. Queen's Co., Ireland; o. land and mill owner; R. Pennsylvania; Rel. Quaker.

Norris, Isaac (1708/9-1735), b. 5/26/1671 in London; m. Mary Lloyd; R. to Philadelphia in 1693, "Fairhill" in Germantown, Jamaica (1678), London (1706-08); o. Merchant; Rel. Quaker; GP. Assembly (1699-1703, 1705-1710, 1720-4), Speaker (1712, 1724), Master of High Court of Chancery (1717), Alderman (1708-24), Mayor (1724); in. Thomas Griffiths, Thomas Lloyd; d. 6/4/1735; B. DAB XIII.

Owen, Evan (1726-1728), b. 1683 in Wales; GP. Common Councillor (1717), Justice of County Court (1723), Alderman (1724), Treasurer of Philadelphia Courts (1724-7), Justice of Orphans Court (1723), Master of Court of Equity, Assembly (1725), Justice of Court of Chancery (1726); in. Griffith Owen; d. 1728 (Pennsylvania).

Owen, Griffith (1690-1717), b. 1647 in Prescoe, Lancashire, Wales; m. Sarah Saunders; R. to Philadelphia in 1684; o. Doctor; Rel. Quaker (Preacher); GP. Assembly (1686-90); in. Evan Owen; d. 8/19/1717 (Pennsylvania).

Page, John I (1680-1691), b. 1627 at Bedfont, Middlesex, p. Francis Page; m. Anne Lukins; R. to Virginia in 1650, Williamsburg, Rel. Anglican; GP. Vestry-Bruton Parish; in. Matthew Page; d. 1/23/1691/2 (Virginia).

Page, John II (1768-1774), b. 1720 in Virginia; e. William and Mary; R. "North End", Gloucester; Rel. Anglican; GP. burgess (1753-1768); d. 10/1774 (Virginia).

Page, John III (1773-1776), b. 4/17/1744 in Virginia; e. William and Mary; m. Frances Burwell; R. "Rosewell", Gloucester; GP. burgess (1771-3), Committee of Safety (1775), Convention (1776), Council of State (1775-6), Lt. Governor of Virginia (1776-8), Virginia House of Representatives (1781-3, 1785-8, 1804), Governor of Virginia (1802-05); in. Robert Carter Burwell, John Page; AR. Patriot, active; d. 10/11/1808 (Virginia); B. DAB XIV.

Page, Mann (1719-1730), b. 1691 in Virginia; p. Matthew Page; e. Eton, St. John's-Oxford; m. Judith Wormeley and Judith Carter; R. "Rosewell", Gloucester; o. Planter; in. Robert Carter, Matthew Page, Ralph Wormeley, John Page; d. 1/24/1730; B. DAB XIV.

Page, Matthew (1699-1703), b. 1659 in Virginia; m. Mary Mann; R. "Timber Neck", Gloucester, GP. Colonel and Commander-in-chief of Gloucester, Escheator for York and Rappahannock, original board of visitors of William and Mary; in. Mann Page, John Page II; d. 1/9/1703 (Virginia).

Palmer, Anthony (1709-1749), b. St. Michael's Park, Barbados; R. to Philadelphia in 1704/5; o. Ship Captain; Rel. Anglican; GP. President (1747-48), vestry-Christ Church; d. 6/2/1749 (Pennsylvania).

Parke, Daniel I (1665-1679), b. 1628; m. Rebecca Evelyn; R. to Virginia in 1652; Rel. Anglican; GP. Secretary of State (1678-9), burgess (1666), Justice of York Co., Sheriff (1659), Fairfax Property Agent (1677-79), Vestry-Bruton Parish; in. Daniel Parke II; d. 2/6/1679 (Virginia).

Parke, Daniel II (1692-1697), b. 1669 in Virginia; p. Daniel Parke I; e. England; R. York Co., o. Ship Builder, Planter, Merchant; Rel. Anglican; GP. burgess (1688, 1692-3), Governor of Leeward Islands (1705-10), Vestry-Bruton Parish, Naval Officer, Escheator, Colonel of Militia, Parliament (1698-1702); in. Daniel Parke I, William Byrd, John Custis II, Philip Ludwell; d. 12/7/1710 in Antigua, B. Edward W. Greenfield "Some New Aspects of the Life of Daniel Parke", VMHB, LIV (1946), 306-15.

Pate, John (1671-1672), R. Gloucester; Rel. Anglican; GP. Justice of the Peace for Gloucester, Vestry-Petrsworth, Gloucester; d. 11/28/1672.

Pemberton, Phineas (1685-1688, 1693-1702), b. 1/30/1650 at Wigon, Lancashire; R. to America in 1682, "Grove Place", "Bolton", Bucks; Rel. Quaker; GP. Clerk of County Court, Deputy Master of Rolls, Deputy Recorder General, Reciever of Proprietary Quit Rents, Assembly (1689-94, 1698), Speaker (1698, 1700-01), Register of Buck's (1684); in. James Harrison, William Yardley; d. 3/1/1702 (Pennsylvania).

Penn, John (1753-1755), b. 7/14/1729; e. College of Geneva; m. Miss Cox and Anne Allen, R. "Lansdowne"; Rel. Anglican; GP. Governor (1763-1771, 1773-1775); AR. neutral; in. Andrew Allen, Richard Penn; d. 2/9/1795; B. DAB XIV.

Penn, Richard (1764), b. 1735; e. St. John's-Cambridge; m. Mary Masters; GP. Member of Parliament (1784-1806) Governor (1771-3); AR. neutral; in. John Penn; d. 5/27/1811; B. DAB XIV.

Penn, William, Jr. (1704), b. England; p. William Penn; R. Philadelphia, Paris.

Perry, Henry (1655-c. 1660), b. before 1637 in Virginia; R. James City Co.; d. after 1661 in England.

Peters, Richard (1749-1775), b. 1704 in Liverpool; e. Inner Temple and Oxford; m. Miss Stanley; R. to Philadelphia in 1735; o. Secretary and Minister; Rel. Anglican; GP. Secretary of Land Office (1735-60), Clerk of Council (1743), Rector of St. Peters (1763-1775); B. DAB XIV. Hubertius Cummings, Richard Peters. Philadelphia (1944).

Pettus, Thomas (1642-c. 1660), Rel. Anglican; GP. Vestry-Bruton Parish.

Phenny, George (1732-1734), GP. Governor of the Bahamas, Surveyor General (1730-7).

Pigeon, Joseph (1704-1708/9), R. Pennsylvania.

Place, Rowland (1675-1681), b. 1642 at Dunsdale, Yorkshire; R. Virginia; d. 1713 (England).

Plumstead, Clement (1727-1745), b. 1680; R. Philadelphia; Rel. Quaker; GP. Common Council (1718), Alderman, Mayor (1723, 1731, 1741), Assembly, Master in Chancery (1730); d. 5/26/1745 (Pennsylvania).

Porteus, Robert (1714-1715), b. 1679 in Virginia; p. Edward Porteus; m. Elizabeth Jenings; R. "Newcastle", Gloucester, York, England after 1714; Rel. Anglican; GP. Vestry-Petrsworth, Gloucester; in. Edward Jenings; d. 8/8/1758 (England).

Preston, Samuel (1700, 1708/9-1744), b. 1665 in Maryland; m. Rachael Lloyd; R. to Philadelphia 1703; o. Merchant; Rel. Quaker; GP. Assembly (1693, 1701), Alderman (1708), Mayor (1711), Provincial Treasurer (1714-44), Justice of Sussex Co. (1689), Sheriff of Sussex (1690-3), Assembly (1693-1701), Common Courts; in. Thomas Lloyd.

Pussey, Caleb (1693-1726), B. 1650 in London; m. Ann Worlesy; R. Chester Co.; Rel. Quaker; GP. Assembly (1686-1713); d. 3/8/1727 (Pennsylvania).

Quary, Robert (1702-1712), o. Merchant; GP. Judge of Admiralty; Surveyor-General of Southern District, Governor of South Carolina; d. 10/29/1712.

Randolph, Peter (1749-1767), b. 1713 in Virginia; p. William Randolph; m. Lucy Bolling; R. "Chatsworth", Henrico; GP. burgess (1749), Surveyor-General of Customs of Middle District, Justice of Henrico, Clerk of House of Burgesses, Attorney General; in. William Randolph; d. 7/8/1767 (Virginia).

Randolph, William (1728-1742), b. 1681; m. Elizabeth Beverley; R. "Turkey Island", Henrico; o. Lawyer; GP. burgess (1706-28), Clerk of House of Burgesses (1710-19), Treasurer; in. Peter Randolph, Peter Beverley; d. 10/19/1742 (Virginia).

Reade, Charles (1733/4-1736/7), b. 1686; p. Charles Reade; o. Merchant; Rel. Anglican; GP. Common Council (1718), Alderman (1722), Mayor (1725), Sheriff (1729-32), Collector, Judge of Admiralty, Justice of the Peace (1718-37), Vestry-Christ Church; d. 1/6/1736/7 (Pennsylvania).

Reade, George (1658-1671), b. 1600; R. to Virginia in 1637; GP. burgess (1644, 1649, 1656), Deputy Secretary of State (1640), Vestry-Petrsworth, Gloucester; in. Augustine Warner II; d. 1671 (Virginia).

Richardson, John 1682/3-1684), R. to Philadelphia 1682, New Castle; Rel. Quaker; GP. Justice of the Peace for Newcastle (1689, 1695), Assembly (1697); in. Samuel Richardson; d. 1/19/1710/11.

Richardson, Samuel (1687/8-1689, 1694-1696), b. Jamaica; o. Bricklayer and Merchant; in. John Richardson.

Roads, John (1683-1687), b. 1653; R. Chester.

Roberts, Hugh (1693), b. Wales; R. Pennsylvania; o. Minister; Rel. Quaker.

Robeson, Andrew (1693-1695), R. Pennsylvania.

Robins, Obedience (1655-c. 1660), R. Northampton Co.; o. Surgeon; Rel. Puritan; GP. burgess (1629-30, 1639, 1642, 1644, 1652); d. 12/30/1662.

Robinson, Christopher (1691-1693), b. 1645 in Yorkshire; m. Agatha Obert, Catherine Beverley; R. to Virginia by 1668, "Hewich", Middlesex; Rel. Anglican; GP. Secretary of State (1692-3), burgess (1685-8, 1692), Trustee of William and Mary, Vestry Urbanna, Clerk of County (1675-1688); in. John Robinson; d. 4/1693 (Virginia).

Robinson, John (1720-1749), b. 1683 in Virginia; p. Christopher Robinson; R. Essex; Rel. Anglican; GP. burgess (1711-1714), Secretary of State (1742), Surveyor-General for William and Mary, Vestry-South Fauks, Essex; in. Christopher Robinson; d. 7/1749.

Robinson, Patrick (1693-1700), Rel. Anglican; GP. Deputy Master of Rolls, Clerk of Philadelphia Court, Deputy Register-General, Provincial Secretary, Attorney-General (1691); d. 1701 (Pennsylvania).

Roche, George (1704-1712, 1714); R. Pennsylvania.

Rodeney, William (1698-1700, 1703/4-1706), R. Sussex; GP. Speaker of Lower Assembly (1701, 1706), Sussex Rep. (1704); d. 1708.

Rolfe, Josiah (1723-1724/5); R. Pennsylvania.

Salway, William (1693-1695); R. Pennsylvania; Rel. Quaker.

Saunders, Charles (1694-1695), R. Pennsylvania.

Scarborough, Charles (1691, 1696-1702), b. 1643 in Virginia; m. Elizabeth Bennett; R. Accomac Co.; GP. burgess (1684, 1688, 1691, 1692), Collector for Eastern Shore, Naval Officer, Commander-in-chief of Accomac Co., Justice of Accomac Co., Vestry; in. Richard Bennett; d. 1703 (Virginia).

Shippen, Edward (1696-1712), b. 3/5/1639 in Yorkshire; m. Elizabeth Lybeard, Rebecca Richardson, Esther James; Rel. Quaker to Anglican 1706; GP. Assembly (1695, 1700-1, 1705-06), Speaker (1705), Justice of Philadelphia (1700), Commissioner of Property (1700), Mayor of Philadelphia (1701-03), Treasurer of Colony (1705-12), President of Council (1703-04), Justice of Supreme Court (1699-1703); in. Thomas Story; d. 10/2/1712 (Pennsylvania); B. DAB XVII.

Shippen, Edward, jr. (1770-1775), b. 2/6/1729; p. Edward Shippen of Lancaster; e. Middle Temple; m. Margaret Fronar; o. Lawyer; GP. Council of Philadelphia (1755-6), Prothonotary of Supreme Court (1762-1776), Judge of Court of Admiralty (1752), Town Clerk (1758), Clerk of Council (1758), President of Court of Common Pleas (1784), Judge of High Court of Errors

(1784), Justice of Dock Ward (1785), Ass. Justice of Supreme Court (1791-9), Chief Justice (1799-1805), Vestry-Christ Church; AR. moderate Loyalist; d. 4/15/1806 (Pennsylvania); B. DAB XVII.

Shoemaker, Benjamin (1746-1767), b. 8/3/1704 in Germantown, m. Sarah Coates and Elizabeth Norris; R. to Philadelphia in 1724; o. Merchant; Rel. Quaker; GP. Common Council (1732), Alderman (1742), Mayor (1743, 1753, 1760), Treasurer of City (1751); d. 6/25/1767 (Pennsylvania).

Simcox, Jonathan (1682/3-1693, 1693-1700), b. Chesshire; o. farmer; Rel. Quaker.

Smith, John (1704-1720), R. Gloucester Co.; GP. Vestry-Petrsworth Gloucester; d. 1720 (Virginia).

Smith, Robert (1663-1687), R. "Brandon", Lancaster; GP. Major General (1666), Colonel (1683); d. 1687 (Virginia).

Southern, Edward (1683-1685), R. Pennsylvania; Rel. Quaker.

Southebey, William (1684-1687), b. in Maryland; R. Philadelphia in 1686, to Maryland 1659, Delaware 1684; Rel. Quaker, Roman Catholic; GP. Acting Register-General of Pennsylvania (1684), Council (Kent), Justice of the Peace for Philadelphia (1686), Assembly (1688); d. 1720.

Spencer, Nicholas (1671-1689), b. Copie, Bedfordshire; p. Nicholas Spencer; e. Queen's College-Cambridge, Lincoln Inn; m. Frances Moltron; R. to Virginia in 1659, Westmoreland; Rel. Anglican; GP. President of Council (1683-1689), Secretary of State (1679-89), Burgess (1666-1671), Collector of Lower Potomac (1671); d. 9/23/1689 (Virginia).

Stegg, Thomas (1664-1670), p. Thomas Stegg; o. Merchant; GP. Chief Commissioner to reduce Virginia (1652), Auditor-General; in. Thomas Stegg, William Byrd I; b. 5/15/1671 (Virginia).

Stockdale, William (1689-1693), b. Tyrone, Ireland or Lanackshire, Scotland; R. Pennsylvania; o. Minister; Rel. Quaker.

Story, Thomas (1700-1714), e. Inns of Court; m. Miss Shippen; R. Philadelphia, to Barbados in 1714; Rel. Quaker; GP. Recorder of Philadelphia (1704), Master of Rolls (1700-02), Keeper of Seal (1700-1702); in. Edward Shippen; d. 1742 (England).

Strettell, Robert (1741-1760), b. 1693 in Dublin; R. to Philadelphia in 1737; o. Merchant; Rel. Quaker; GP. Common Council (1741), Alderman (1743), Mayor (1749), d. 6/17/1761 (Pennsylvania).

Tayloe, John I (1732-1747), b. 5/15/1687; R. "Mt. Airy", Richmond; Rel. Anglican; GP. Burgess (1722-30), Vestry-St. Mary's; in. John Tayloe II, Richard Corbin; d. 1747 (Virginia).

Tayloe, John II (1756-1776), b. 5/8/1721 in Virginia; p. John Tayloe I; e. in England; R. "Mt. Airy", Richmond, Williamsburg; Rel. Anglican; GP. Council of State (1776), Vestry-St. Mary's; in. John Tayloe I, Richard Corbin, Ralph Wormeley; d. 4/18/1779 (Virginia).

Taylor, Abraham (1741-1750), b. 1703; R. left Province in 1763; o. Merchant; Rel. Anglican; GP. Collector of Philadelphia (1744), Mayor (1743), Colonel of Association (1747), Vestry-Christ Church; d. 1772.

Taylor, Christopher (1682/3-1686), R. to Philadelphia in 1682; o. School Teacher; Rel. Quaker; GP. Register General; d. after 7/23/1686 (Pennsylvania).

Thornton, Presley (1761-1769), b. 1721 in Virginia; R. "Northumberland House", Northumberland Co.; GP. burgess (1748-61); d. 12/8/1769 (Virginia).

Tilghman, John (1767-1775), b. 21/6/1716; p. Robert Tilghman and Anna Maria; m. Anna Francis; R. to Pa. in 1760, Annapolis; o. Lawyer; GP. Secretary of Land Office (1765-76), Common Council (1764); d. 8/25/1793 (Pennsylvania).

Till, William (1741-1760), R. Philadelphia, Sussex; o. Planter; Rel. Anglican; GP. Assembly, Common Council (1739), Mayor (1742), Alderman (1741), 3rd Justice of Supreme Court, Collector at Newcastle (1743); d. 1766 (Pennsylvania).

Trent, William (1703/4-1712, 1715/6-1721/2), R. Pennsylvania; o. Merchant.

Turner, Joseph (1747-1775), b. 5/21/1701; o. Sea Captain and Merchant; GP. Common Council (1729), Alderman (1741), Mayor (1745), Committee of Correspondence (1774); AR. Neutral; d. 7/25/1783 (Pennsylvania).

Turner, Richard (1700), b. Shropshire; R. Pennsylvania.

Turner, Robert (1686-1690, 1693-1695), b. Dublin, Ireland; R. to Pa. in 1683; o. Linen draper, Merchant; Rel. Quaker, later Anglican; GP. Commission of Property (1684), Justice of the Peace for Philadelphia, First Purchaser, West Jersey Assembly.

Wardner, William (First Council 1682), R. Pennsylvania; GP. Assembly (1682-3).

Warner, Augustine I (1660-1674), b. 1611; m. Mary _____; GP. Speaker (1659), burgess (1652-1659), in. Augustine Warner II; d. 1674 (Virginia).

Warner, Augustine II (1677-1681), b. 5/3/1642 in Virginia; p. Augustine Warner I; e. Merchant Taylor's School; m. Mildred Reade; R. "Warner Hall", Gloucester; GP. Speaker (1675-7), burgess; in. Augustine Warner I, John Smith, George Reade, John Lewis; d. 6/19/1681 (Virginia).

Watson, Luke (1684-1693), R. Sussex; o. farmer.

Welch, William (1684-1685), R. Pennsylvania.

Whitaker, William (1659-1662), R. Virginia.

Whiting, Henry (1690-1694), b. 1658 in Virginia; p. James Whiting; m. Anne Beverley; R. Gloucester; o. Doctor; Rel. Anglican; GP. Treasurer (1692-3), Justice of Gloucester Co. (1680), Major of the Horse, burgess (1680, 1683-4), Vestry-Petrsworth, Gloucester; in. Peter Beverley; d. 1728.

Whitwell, Francis (1682/3-1684), R. Pennsylvania; Rel. Quaker; d. 5/25/1684.

Williams, John (1693-1696), R. Pennsylvania.

Willis, Francis (1658-1675), R. Gloucester, Ware River Park, Kent, England; d. 1691 (England).

Willson, Richard (1695-1696, 1699-1700), R. Pennsylvania.

Withers, Ralph (1682/3-1684), b. Wiltshire; R. Pennsylvania; Rel. Quaker.

Wood, Abraham (1657-c. 1680), b. 1615; R. to Virginia in 1620; GP. led expedition to west in 1673, Colonel, burgess (1644, 1645, 1646, 1652, 1654, 1656), Justice of Charles City; d. 1683 (Virginia).

Wood, William (1684-1686), R. Pennsylvania; Rel. Quaker.

Wormeley, Christopher (1683-1691), b. 1645; R. to Virginia in 1660, "Powhatan", Middlesex; Rel. Anglican; GP. burgess (1691), Vestry-Middlesex, Collector of Potomac (1691-1701); d. 10/28/1698 (Virginia).

Wormeley, Ralph II (1677-1700), b. 1650 in Virginia; p. Ralph Wormeley and Agatha Eltonhead; e. Oriel College-Oxford; m. Peter Jening's widow, Katherine and Elizabeth Armistead; R. "Rosegill", Middlesex; o. Planter; GP. Secretary of State (1693-1701), burgess (1674), President of Council (1693), Collector and Naval Officer of Rappahannock (1693), Vestry-Middlesex; in. John Armistead, Ralph Wormeley, Sir Henry Chicheley, Mann Page; d. 12/5/1700 (Virginia).

Wormeley, Ralph IV (Junior) (1771-1776), b. 1744 in Virginia; p. Ralph Wormeley; e. Eton and Trinity College, Cambridge; m. a daughter of John Tayloe II; R. "Rosegill", Middlesex; GP. Vestry Christ Church, Middlesex (1766), House of Delegates (1787), member of Conventions (1788, 1794, 1795), Comptroller of Port of Rappahannock River; AR. neutral; in. John Tayloe II; d. 1/19/1806 (Virginia).

Yardley, William (1687/8-1693), b. 1632 in Wales; R. to Pa. in 1682, Bucks Co.; o. Minister; Rel. Quaker; GP. Sheriff of Bucks; d. after 1704.

Yeates, Jasper (1696-1700, 1704-1707, 1717-1720), b. in Yorkshire; R. to Pa. in 1692, Chester Co.; o. Lawyer and Tobacco Merchant; Rel. Anglican; GP. Assembly of Lower Counties (1700), Collector of His Majesty's Customs at Port Lewes, Justice of Chester Co. (1694), Ass. Justice of Supreme Court (1691-1711), Vestry-Christ Church; d. 11/23/1721 (Pennsylvania).

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